

FINAL

**LEBANON CONSERVATION COMMISSION
REGULAR MEETING MINUTES
Remote Via Microsoft Teams
LebanonNH.gov/Live
Thursday, October 8th, 2020
6:30 PM**

MEMBERS PRESENT: Ernst Oidtmann (Chair), Sarah Riley (Vice Chair), Erling Heistad, Christopher Johnson, Bruce James, Donald Lacey, Sue Almy, Darla Bruno (Alt.), Barbara Hirai (Alt.)

MEMBERS ABSENT: Suellen Balestra

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER – Chair Oidtmann called the meeting to order at 6:31 PM

- Mr. Mark Goodwin reviewed the meeting procedures for remote meetings and NH RSA 91-A “Right to Know” requirements. A Roll Call of Commission Members who participated remotely are listed above.

2. APPROVAL OF MINUTES: September 10th, 2020

*Mr. Heistad MOVED to approve the September 10th, 2020 Minutes as amended below and presented in the October 8th, 2020 agenda packet.
Seconded by Mr. James.*

Amendments:

Page 3, Line 36, Change “noticed” to “notified”

Roll Call Vote:

Ernst Oidtmann, Bruce James, Christopher Johnson, Erling Heistad, Sarah Riley, Donald Lacey, Susan Almy all voting Yea.

None voted Nay.

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

3. PERMIT REVIEW:

A. Quail I, LP (Applicant), Melandaco, LLC (Property Owner): Review and comment on NHDES Wetland Standard Dredge and Fill Application (Minimum Impact) for drainage improvements along East Wilder Road. The project requires temporary wetland impacts. The project in review includes 600 square feet of temporary impact. **CC2020-08, DES File Number 2020-02338**

Ms. Christina Hall informed the Board that the City's website and agenda stated the meeting would start at 7:00PM. She believed that others thought that as well and that is why some people were not at the meeting yet. It was decided to wait to start the hearings until 7:00PM.

5. COMMITTEE REPORTS:

A. Conservation Lands Monitors-Ms. Hirai spoke about the Elm trees that were planted down at Two Rivers. Mr. Ron Bailey, Chair Oidtmann, Ms. Hirai and Mr. Goodwin all assisted with the plantings along with the Nature Conservancy. They also fenced around the trees to protect them from deer. The meadow was kept open and the trees were planted in the middle of the park between the Black Locust and the Cottonwood trees.

C. Workshops and Educational Opportunities-There will be a meeting with the New Hampshire Association of Conservation Commissions on November 7th, 2020 to be held virtually. There will also be a New Hampshire Municipal Association Land Use Law Conference on October 31st, 2020, also held virtually.

Chair Oidtmann spoke about an informal meeting he attended along with Mr. James and Mr. Goodwin at Tenney Park. Mr. Jim Kennedy and Ms. Vicki Smith were there for the Hanover Conservation Commission.

3. PERMIT REVIEW CONT.:

3A-Mr. Rodrick Finley, Vice President and Director of Engineering Services with Pathway Consulting, LLC gave his presentation for the wetland permit review. Quail Hollow Phase 5 started a little over a year ago. It is a 32-unit building and sits adjacent to the Phase 1 building. All the drainage from Quail Hollow comes from the old gravel pit and flows down the emergency access road to East Wilder Road. City Engineer Christina Hall pointed out during the Planning Board's review of Phase 5 that the water flow at the outlet is causing erosion on both city property and the neighbor's property. The developer of the project is now being required by the City of Lebanon to change the alignment of the culvert pipe to a more dramatic angle to line up with a ravine that runs down to the river. The new design includes upgraded 24-inch pipes. The wetland that will be temporarily disturbed is lined with 8-10-inch riprap already. They want to improve that drainage area with larger stones, Class B riprap, to dissipate the energy before it hits the main ravine. The New Hampshire Heritage Bureau identified 2 endangered plant species in the area, one of which was found on site. Areas with this plant, the Virginia Stickseed, will be fenced off so as not to disturb the plants. Ms. Hall added that the current culvert is failing and needs to be replaced.

Various Conservation Commission members asked questions of Mr. Finley. Ms. Almy asked where exactly the Virginia Stickweed was located? Mr. Finley explained that one of the plants is near the existing headwall where the water discharges, up on the bank and the other one is approximately 40-50 feet beyond where the construction will take place.

Ms. Hirai asked if the new culverts would be the same size as the old culverts? Mr. Finley answered that they would be. Ms. Hirai also asked if the water that was draining from the property was coming off paved property and if anything was going to be done to improve the quality of the water before it went

into the river? Mr. Finley explained that there are multiple storm water treatment facilities within Quail Hollow.

Vice Chair Riley asked for more information on the culverts being used; she wanted to know why they were not making the culverts bigger. Mr. Finley said the pipe size was the same because it was able to detain flows within the development up to a 100-year storm event. They also left the pipe size the same to back the water up into Quail Hollow on purpose. The pipe was also angled more to lessen the erosion on Jody Robert's property.

Mr. Lacey MOVED that the Conservation Commission recommend to NH DES approval for Quail I, LP (Applicant), Melandaco, LLC (Property Owner) NHDES Wetland Standard Dredge and Fill Application (Minimum Impact) for drainage improvements along East Wilder Road. The project requires temporary wetland impacts. The project in review includes 600 square feet of temporary impact. CC2020-08, DES File Number 2020-02338

Seconded by Mr. James.

Roll Call Vote:

Ernst Oidtman, Christopher Johnson, Erling Heistad, Sarah Riley, Donald Lacey, Bruce James, Susan Almy all voting Yea.

None voted Nay.

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

3B. City of Lebanon (Applicant), Lebanon Housing Authority (Property Owner)-Review and comment on NHDES Wetland Standard Dredge and Fill Application-(Minor Impact) for CSO #13, replace an existing outfall. The project requires temporary and permanent wetland impacts. The project in review includes 1,560 square feet of temporary impact and 480 square feet of permanent impact. CC2020-09, (No DES number)

Ms. Christina Hall, City Engineer with the City of Lebanon, started the presentation on the wetland application. The City has been working on CSO projects for the past 20 years and this is the last one. Britt Eckstrom and Ryan Wingard, from Wright-Pierce would be going through the presentation. The application is for along Route 12A and then down into Romano Circle across the Housing Authority property to the Connecticut River.

Ms. Eckstrom went through a slideshow on the wetland application. The application is for Project #13 of the CSO projects. It will replace 13 catch basins found along Route 12A and will construct a new storm drain system to direct the stormwater to the Connecticut River as well as reconstructing the sanitary sewer system and drinking water distribution system. All the drainage from Route 12A is currently going into the Lebanon sewer system. After this project is done the storm water will be captured by a new storm drain, go down into Romano Circle then turn down Doc Place then to an existing 18-inch drain. The 18-inch pipe will be abandoned when the new drainage is put in place. The outfall elevation is low because the new drainage being put in place needs to go under an existing sewer line. Silt fencing will be used for temporary erosion control and riprap and vegetation will be used for permanent erosion control.

Various Conservation Commission members asked questions. Vice Chair Riley asked where will the water go to if the river was high? Ms. Eckstrom said it would just back up into the drain system. They have added a tide flex valve to prevent the river water from pushing back up out of the catch basins.

Mr. Heistad asked what size stone was being used for bank erosion? Ms. Eckstrom said 12-inch riprap. Mr. Heistad asked if that would be enough to hold the current of the Connecticut River? Ms. Eckstrom said that would be enough for the discharge from the outfall. Mr. Lacey asked if the riprap size would be enough for the regular Spring runoff into the river that happens every year? Ms. Eckstrom noted that the outfall location is above the mean high water. Ms. Hall added that they could investigate upsizing the riprap to larger stone. They also plan on seeding around that area. Mr. Heistad asked how long they planned to monitor the new growth on the bank? Ms. Eckstrom said she believes it would be about 2 years.

Vice Chair Riley asked how contaminants from Route 12A would be kept from going into the river? Ms. Eckstrom said they would catch sediment and some floatable objects with a catch basin. Ms. Hirai asked what they would be using for vegetation along the shoreline? Ms. Eckstrom said they would be using a native wetland seed mix. Vice Chair Riley asked if there could be a homeowner education phase of the CSO to promote New Hampshire's Soak Up the Rain program? Ms. Eckstrom replied that the City does public meetings during their projects and has one more meeting coming up that they could incorporate the program into. Vice Chair Riley asked about tree removal that was on the plan? Ms. Hall said the trees being cut are along the sidewalk. The sidewalk is not wide enough for the sidewalk tractor. This is to help widen some of the roadway through there and accommodate a bike lane.

Discussion was had among the Commission members.

Ms. Almy MOVED that the Lebanon Conservation Commission recommend acceptance by the NH DES of the City of Lebanon's (Applicant) and Lebanon Housing Authority (Property Owner) NHDES Wetland Standard Dredge and Fill Application-(Minor Impact) for CSO #13, to replace an existing outfall. The project requires temporary and permanent wetland impacts. The project in review includes 1,560 square feet of temporary impact and 480 square feet of permanent impact with the following conditions that the size of the riprap in the fall area be reconsidered in terms of the Spring thaw floods and that shrubs be considered in addition to the grasses in the stabilization mix. CC2020-09, (No DES number) Seconded by Mr. Johnson.

Roll Call Vote:

Ernst Oidtmann, Christopher Johnson, Erling Heistad, Sarah Riley, Donald Lacey, Bruce James, Susan Almy all voting Yea.

None voted Nay.

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

4. STUDY ITEMS:

- A. Alfred and Lorelee West (Property Owners), Saxon Partners (Applicant) per DES Condition #17, included within the September 28, 2020 request for more information letter. The Applicant is seeking comment on the revised design, specific to the aquatic organism passage concern expressed by the Conservation Commission during the July 9th, 2020 Permit review, CC2020-07.**

Ms. Sherrie Trefry with VHB explained the new changes that were made to their design regarding a drop structure. The new design has a 4X4 box culvert installed and the drop structure has been taken out. The path and grade of the existing stream has also been changed to a little bit of a steeper grade. The applicant has also removed some of Building B and reconfigured the parking

to allow the stream to have a more natural pathway. DES would like to know if the redesign and reconfiguration has addressed the Conservation Commission's concerns?

Various Conservation Commission members asked questions. Mr. Heistad asked what the bottom of the box culvert would be like? Ms. Trefry said they could line the box culvert with rock substrate. Ms. Hirai asked about the rip rap along the banks of the stream? She wondered what would happen to the wildlife if they got down to the stream, would they be stuck there? Mr. David Fenstermacher responded that it will be riprap covered with earth and stabilized with a conservation mix.

Mr. Rick Van de Poll, member of the public, sent in an e-mail concerned with the alignment of the stream. He wanted to know how this was a restoration project of the stream if they were going to move the stream around Building B? Ms. Trefry explained that the original location of the stream is unknown and that there had been some grading of the area. They worked with DES to find the best way to re-align the stream. Mr. Van de Poll also asked about another culvert that could be seen in the plan that is located under Building B. He did not think it was mapped as part of the original application as an impact area and wanted to know how that could be? Ms. Trefry said they went out and looked at the area after they received his e-mail, and it was inconclusive to them that it was a wetland. It is in the area that is slated for the restoration of the stream.

The Conservation Commission felt that the applicant made a good faith effort to meet their concerns about the culvert from the July 9th, 2020 meeting. They felt that the 4X4 box culvert was a good improvement especially if careful consideration is made in regard to the bottom of the culvert such as natural, woody debris, stones, or possibly whether an open bottom would be more appropriate. The Conservation Commission recommended that DES consider these and various other alternatives. They also would like to see some resting ponds added into the design.

- B. **UVLSRPC Route 120 Project:** Mr. James said he felt it was a good resource for the Conservation Commission in the long term. He encouraged the members to read it and archive it for future knowledge.

5. COMMITTEE REPORTS:

A. **Cont. Conservation Lands Monitors-**Mr. Goodwin said he spoke with a construction manager representing Audley, the contractor involved with the I89 bridge reconstruction. They were looking for a large area to store equipment during the construction process and was wondering if there was an opportunity to use some of the area at Two Rivers in exchange for some sort of improvement to the conservation area such as more plantings or something to be done on the South side of the bridge.

Vice Chair Riley MOVED to extend the meeting for 10 minutes.

Seconded by Mr. Lacey.

Roll Call Vote:

Ernst Oidtmann, Christopher Johnson, Erling Heistad, Sarah Riley, Donald Lacey, Bruce James, Susan Almy, and Barbara Hirai all voting Yea.

None voted Nay.

** The Vote on the MOTION passed (8-0).*

6. OTHER BUSINESS:

A. Resident Stewardship Volunteer Program-Mr. Goodwin gave an update on the forms being made available for the volunteers to use when maintaining trails. The forms will not be worked on by the IT Department until after Columbus Day.

D. LOST Fund Update-None

C. Wild About Lebanon-A postcard was sent out to Lebanon residents highlighting 5 areas in Lebanon.

5B. Lebanon Biodiversity Group-Mr. Lacey said that he noticed that the City was mowing wider on the side of the roads. He said there was a place where a natural heritage bureau plant grew that he did not want to be mowed over. He will let Mr. Goodwin know where it is so that he could speak with someone so they don't mow it over.

6. Other Business: Vice Chair Riley had been in touch with Vital Communities and the Upper Valley Land Trust and another Conservation Commission. They have set up a new Listserv for conservation use. They will be inviting other Conservation Commissions throughout the Upper Valley to join the Listserv. This will be a way to share any information between Commissions.

7. ADJOURNMENT:

Mr. Lacey MOVED to adjourn the meeting at 9:43 PM.

Seconded by Vice Chair Riley.

Roll Call Vote:

Ernst Oidtman, Christopher Johnson, Erling Heistad, Sarah Riley, Barbara Hirai, Bruce James, Donald Lacey, Susan Almy, Darla Bruno all voting Yea.

None voted Nay.

**** The Vote on the MOTION was unanimously approved (9-0).***

The meeting was adjourned at 9:43 PM.

Respectfully submitted,
Barbara R. Higgins
Recording Secretary