

FINAL

**LEBANON CONSERVATION COMMISSION
CITY COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
6:30PM THURSDAY MARCH 14, 2024**

MEMBERS PRESENT: Sarah Riley (Chair), Barbara Hirai, Erling Heistad (City Council Rep.), Ernst Oidtman, Donald Lacey, Chris Johnson, Brandon Hill (Alt)

MEMBERS ABSENT: Sean Dittrich (Alt.), Bruce James (Vice Chair), Susan Almy (Alt.)

STAFF PRESENT: Mark Goodwin (GIS Coordinator); Rod Finley (City Engineer)

1. CALL TO ORDER

Chair Riley called the meeting to order at 6:35pm. Mr. Goodwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

2. APPROVAL OF MINUTES February 8, 2024

Amendments:

Page 3, Line 34 & Pg 4, Line 34: Change "fall" to "default"

Page 4, Line 30: Change "work" to "use herbicides"

Page 4, Line 4&5: Change "Upper Valley Land Trust" to "easement holder"

Page 5, Line 9: Change "link to" to "to link on"

A MOTION was made by Erling Heistad to approve the February 8, 2024 Meeting Minutes as amended. The Motion was seconded by Chris Johnson.

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

3. OPEN TO THE PUBLIC

No one from the public spoke.

Chair Riley moved **Study Item 5A** to the top of the meeting, which is out of the order on the meeting agenda.

5. STUDY ITEM

A. Cicotte Properties, LLC rezoning request (per 01/17/2024 City Council directive)

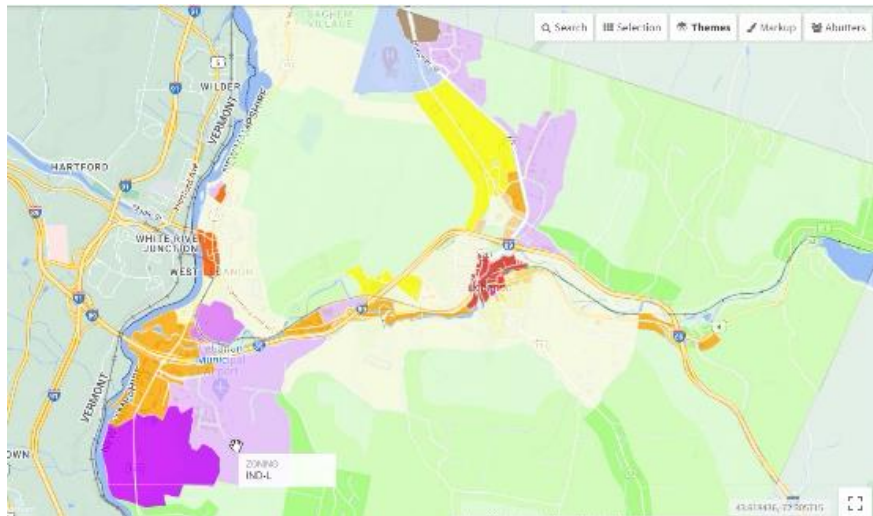
Dr. Oidtman recused himself from the discussion about this agenda item.

Attorney Barry Schuster was present for the applicant. He gave a recap of the applicant's rezoning request, which is to add a Conditional Use of "vehicular sales and service" to zone IND-L. He said this request is the same as what was presented before the Commission in December for the RO-1 zone.

He asked the Commission if there were any changes to the MOTION made at the December 14, 2023, Conservation Commission meeting. He read the MOTION from that meeting, changing the zone to the IND-L zone and referring to the current meeting:

"A MOTION was made by Barbara Hirai that the Lebanon Conservation Commission has not identified any conservation issues and therefore does not recommend approval or disapproval for the proposed addition of a Conditional Use Permit in the IND-L Zone as presented this evening."

The group reviewed a map of the areas zoned IND-L, indicated by light purple. They discussed at length the fact that, if the request were granted, it would be easier for dealerships to be established in any of the IND-L zoned areas.



The group discussed drainage concerns and wildlife habitats that may be affected by the proposed zone change. Mr. Heistad noted that the Route 120 area around the IND-L zones is one of the most sensitive areas in the City which should be protected.

The group discussed how, if this request were granted, applicants would have to get approval from the Planning Board. Mr. Hill discussed the process for obtaining conditional use permits. He said if applications meet all the requirements of conditional use, they are generally approved without further restrictions.

A MOTION made by Don Lacey that the Lebanon Conservation Commission has not identified any conservation issues and therefore does not recommend approval or disapproval for the proposed addition of a conditional use permit in the IND-L zone as presented in the March 14, 2024 Meeting Agenda packet. The motion was seconded by Barbara Hirai.

Mr. Hill said, at its last meeting, the Planning Board (of which he is a member) had decided to wait for the results of the Route 120 Study before granting this request because the study may result in zoning changes. He said the study should be completed by July 2024.

Mr. Goodwin explained that, if the Commission does not permit this proposed zoning amendment because it thought the conditional use would have an adverse impact on the hydrology and natural resources in the area, a different application could come in tomorrow that is permitted that would have the same impacts.

*** The Vote on the MOTION was approved (6-0).**

Dr. Oidtmann rejoined the meeting discussion.

4. PERMIT REVIEW

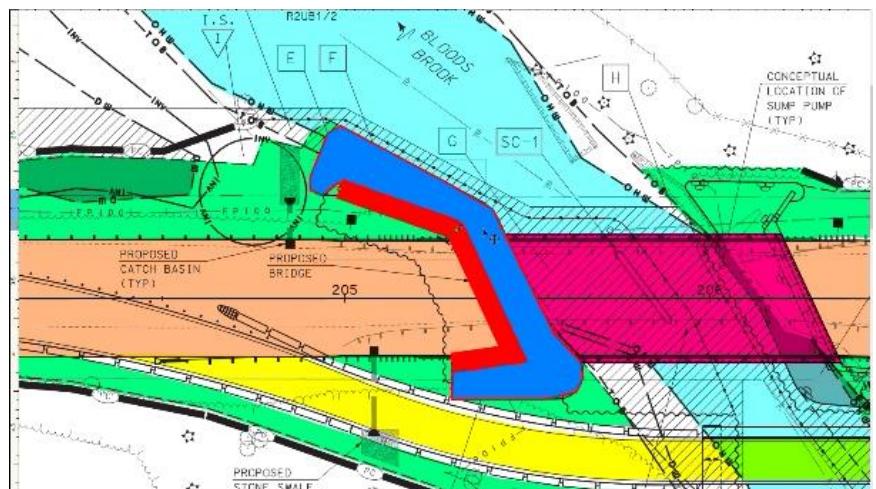
- A. City of Lebanon/Department of Public Works - City Trues Brook Bridge over Bloods Brook: Review and Comment on NHDES Wetland Permit application (major impact) for replacement of the existing bridge. The proposed replacement structure is an 85' long single span bridge, with concrete deck, steel stringers and cast-in-place concrete abutments. The improvements result in approx 8,935 sq ft of wetland impact, 7,391 sq ft of temporary impact and 1,544 sq ft of permanent impact. (NH DES #2024-00345)**

City Engineer Rod Finley introduced Kim Peace and Josif Bicja from Hoyle Tanner.

Mr. Bicja gave an overview of the project, which involves building a temporary bridge for traffic during construction of the existing bridge. He said the new bridge will be wider than the existing by approximately 22 feet.

Ms. Peace explained the temporary and permanent impacts to the wetlands in the area. She said rip rap (shown in blue on the map) will be installed around the abutment (shown in red) to prevent erosion on the bank and protect the stability of the road and bridge.

She said there will also be a change in the elevation in the road at the northeast corner to keep water from ponding and icing on the bridge.



The group discussed whether alternatives to rip rap were considered. Ms. Peace said they can infill the rip rap with stone or gravel and loam and seed over the top.

Chair Riley invited the public to comment.

Mr. Dave McLaughlin of 38 Hall Road asked if there were changes to the abutment planned. Mr. Bicja said the abutment will not change and the rocks next to the bridge would not be blasted or removed, which might impact the swimming/fishing hole nearby. Mr. McLaughlin expressed his concern that if the City makes the existing stream wider, it will slow the water down, so the aeration for the fish would be reduced in that hole. He asked if they could guarantee the deep hole would not be filled in by the water after the changes to the bridge are made. Ms. Peace said there are no guarantees with stream flow.

Mr. Bicja explained that the sump pumps on the bridge are there to control water that may collect on the top of the bridge during construction and will be removed when the project is completed. He said the pumps would be emptied into a dewatering bag and not dumped into the brook.

Chair Riley asked if the hemlock trees next to the bridge would have to be cut or removed. Mr. Bicja said the utility company may need to cut trees to place the utility wires. Chair Riley asked if the poles could be located upstream to eliminate the need to cut the trees. She said the hemlocks provide shade for the brook.

The group discussed whether widening the bridge/road makes it safer for drivers, pedestrians, or bikers, or whether wider roads encourage drivers to drive faster. Mr. Sam Armstrong of 44 Winter Street said he has been a driver and a pedestrian over the bridge and he said cars drive faster than they should and he was not sure the wider bridge would make a difference.

A MOTION was made by Don Lacey that the Lebanon Conservation Commission recommends approval of the City of Lebanon/Department of Public Works application regarding the City Trues Brook Bridge over Bloods Brook, regarding the permit application with a major impact for replacement of the existing bridge. The proposed replacement structure is an 85' long single span bridge, with concrete deck, steel stringers and cast-in-place concrete abutments. The improvements result in approximately 8,935 square feet of wetland impact, 7,391 square feet of temporary impact and 1,544 square feet of permanent impact. (NH DES #2024-00345)

With the following additional condition that the rip rap is infilled with smaller material, and then native excavate, and then loam and seed for more wildlife friendly passage. The MOTION was seconded by Chris Johnson.

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

Mr. Finley said the City Council Site Walk and Public Hearing will be held on April 17, 2024 at 5:30pm.

Ms. Hirai said she continues to be concerned that the Conservation Commission is brought into discussions for projects like this too late and said she is hoping that the City could be more proactive in thinking about how to ensure wildlife conductivity under bridges in the future.

Chair Riley called for a five minute break at 8:27pm.
The meeting resumed at 8:33pm.

5. STUDY ITEM

B. Sachem Village – DHMC Connector Concept Update

Chair Riley said she, Mr. James, and Mr. Goodwin met with the City Manager to get an update on the multiuse path through the Indian Ridge Conservation Easement, which was included in the Upper Valley Lake Sunapee Regional Planning Commission's Walk/Bike/Ride Lebanon plan. She said City Manager Mulholland told them he knows of no actual plan, and it should not be a cause for worry by the Commission. Mr. Johnson said the Lebanon Fire Department spoke about this path at the Citizens Academy class he attended. He said the Fire Department is interested in it for fire safety access to the area.

Chair Riley said she and Mr. James suggested that it would be beneficial to have similar collaborations or cross-communications between the Conservation Commission and the Planning Department and its boards, such as the Pedestrian/Bike Committee, in the future.

6. COMMITTEE REPORTS

A. Biodiversity Group (Invasives)

Mr. Lacey said he has been cutting and removing downed trees on Bakers Crossing. He said he has been trying to extend the riverside trail in that area also. He said he removed a flooded, abandoned tent from the area. Mr. Hill said he had some chainsaws so he could help with the cleanup.

Ms. Hirai said discussions about the Forest Health Group meetings, led by Barbara McIlroy, are continuing. She said the group is planning an initial series of workshops, which will include hands-on workshops and field days:

- Forest Health in General
- Deer from the Hunting Perspective
- Invasives

Chair Riley said she would email the group with the tentative dates for the workshops.

Mr. Lacey asked about the status of a new pesticide applicator and Chair Riley said there has been no further progress.

Chair Riley noted that garlic mustard season is approaching, and plans are being made to address it next month.

B. Stewardship

No update

Chair Riley noted that she tentatively set a date for blueberry pruning at Jackson Conservation Area for April 7, 2024.

C. Wild About Lebanon

Chair Riley said there will be a Wild About Lebanon on April 22, 2024 at 4:00pm at the Wheatley Trailhead on Star Hill Conservation Land.

D. Amphibian Crossings

Chair Riley noted that a volunteer at Old Pine Tree Cemetery said she has seen amphibians (peepers and wood frogs) crossing from north to south towards the river.

E. LUCT/Current Use

No update

F. Other Subcommittees

No update

7. OTHER BUSINESS

None

8. FUTURE AGENDA ITEMS

- **Property Stewardship Discussion, continued**
- **Farnum Hill Review**

9. ADJOURNMENT

The meeting adjourned at 9:00pm.

Respectfully submitted,
Paula Roux
Recording Secretary