



LEBANON CONSERVATION COMMISSION
JUNE 10, 2021 - 6:30 PM
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE

-
- 1. Call to Order**
 - A. Review of meeting procedures and NH RSA 91-A "Right-to-Know" requirements.
 - 2. Approval of Minutes**
 - A. May 13, 2021
 - 3. Permit Review**
 - A. None
 - 4. Study Items**
 - A. Discussion re: amending rules of procedure to add Rules of Decorum
 - 5. Committee Reports**
 - A. **Reports from other committees:**
 - Conservation Lands Monitors (Various Members) (10 Minutes)
 - Lebanon Biodiversity Group (D. Lacey) (10 Minutes)
 - Workshops & Educational Opportunities (Various Members) (10 Minutes)
 - 6. Other Business**
 - 7. Future Agenda Items**
 - 8. Open to the Public**
 - 9. Adjournment**

The order of agenda items is subject to change.

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams. Members of the public are encouraged to attend by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the Microsoft Teams software or by phone. Please visit LebanonNH.gov/Live for full details.

THE AGENDA, IN ITS ENTIRETY IS AVAILABLE ON THE CITY'S WEBSITE AT LEBANONNH.GOV

**Agenda
Conservation Commission
June 10, 2021**

**Agenda Item #2A
Approval of Minutes**

May 13, 2021

DRAFT

**LEBANON CONSERVATION COMMISSION
REGULAR MEETING MINUTES
Remote Via Microsoft Teams
LebanonNH.gov/Live
Thursday, May 13th, 2021
6:30 PM**

MEMBERS PRESENT: Ernst Oidtmann (Chair), Sarah Riley (Vice Chair), Erling Heistad, Donald Lacey, Susan Almy, Barbara Hirai (Alt.)

MEMBERS ABSENT: Chris Johnson, Bruce James, Darla Bruno (Alt.), Suellen Balestra (Alt.)

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER – Chair Oidtmann called the meeting to order at 6:33 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.
- Chair Oidtmann appointed Barbara Hirai as a regular voting member in place of Chris Johnson.
- Chair Oidtmann wanted to compliment Vice Chair Sarah Riley for the work she had done on the garlic mustard project. He also wanted to thank Mr. Bruce James for the great work on the report he did.

2. APPROVAL OF MINUTES: April 8th, 2021

Mr. Heistad MOVED to approve the April 8th, 2021 Minutes as amended and presented in the May 13th, 2021 agenda packet.

Seconded by Ms. Riley.

Amendments:

Page 4, Line 3 Change “his” to “their”

Page 5, Line 48 Change “trail head” to “trailhead”

Roll Call Vote:

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

None voted Nay.

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

3. PERMIT REVIEW:

A. City of Lebanon- Preliminary review and comment on a draft NHDES Wetland Standard Dredge and Fill Application (Major Impact) associated with construction of a new multi-use path on Lahaye Drive with a total of 18,642 square feet of total permanent plus temporary wetland impacts on a 5.93 acre parcel

1 owned by Dartmouth College, under preliminary agreement for easement, located at 0 Mount Support
2 Road, Lebanon, Tax Map 10, Lot 24, Plot 200.

3
4 Mr. Goodwin explained to the Commission that this was not a formal application process and therefore
5 did not need to have a Motion done at the end of the presentation.

6
7 Ms. Rebecca Owens, with the City of Lebanon, started the presentation by explaining the background of
8 the project. She said the project had been around for a while. In 2016 it was part of a federal application
9 for a grant for the work to be done. The goal was to construct just under 1,000 linear feet of a 10-foot-
10 wide multi-use path to safely convey pedestrian and bicycle traffic from Route 120 to the Mt. Support
11 Road intersection. The preliminary design was done in 2019, but the project was held up due to Covid-
12 19. They were hoping the project would go out to bid in the winter and that construction would start in
13 2023, if not sooner.

14
15 Mr. Lacey asked if federal funding was still going to be involved in the project and Ms. Owens said yes, it
16 would be an 80/20 funding. Mr. Lacey asked if because federal funding was involved if there would be
17 more extensive requirements being made? Ms. Owens said the project was subjected to categorical
18 exclusion.

19
20 Ms. Hirai asked how the timing of the project being presented coincided with the project being done on
21 Route 120? Would this project be done before or during that project? Ms. Owens said this project was
22 on a faster track than the other project. The scope of work on 120 did not include the part of Lebanon that
23 this project was incorporating.

24
25 Chair Oidtmann said that the map he was looking at showed two different properties on it. He was
26 questioning the property lines on the map. He also asked what the structure was at the head of the project
27 area? Mr. Goodwin suggested that after the presentation was over, they may cover any questions that the
28 Commission members may have.

29
30 Ms. Charlotte Brodie, Wetland Specialist and Field Naturalist with Dubois and King, gave her
31 presentation on the project. Mr. Brian Bresland was also there as the engineer who worked on the project.
32 The project is only on the north side of Lahaye Drive. Chair Oidtmann asked what the area represented in
33 the right upper corner of the project was? Ms. Brodie said it showed where the intersection with NH
34 Route 120 was involved. She said the wetland extended up north and south of Lahaye Drive. This would
35 be a multi-use path on the north side of Lahaye Drive between Mt. Support Road and Route 120. The
36 City of Lebanon was the applicant for the project. The purpose of the project was to safely convey
37 bicycles and pedestrian traffic on Lahaye Drive. The new path would connect to the existing sidewalk at
38 Mt. Support Road, south of the project area, and to the existing sidewalk along Centerra Parkway.

39
40 Ms. Almy asked for more clarification on the map and where exactly the project was located. Ms. Brodie,
41 Ms. Owens, and Mr. Bresland provided clarification on the drawings of the project. Ms. Hirai asked if
42 the bicycles and the pedestrians would all use the same lane, or would there be separate lanes? Ms.
43 Owens said it would be like the Mt. Support pathway. It was decided that before the next presentation
44 was given a better drawing of the project map would need to be created and provided.

45
46 Ms. Almy asked what would happen with the water on either side of the new pathway. Ms. Brodie said
47 that there is an existing culvert that conveys water from one side to the other, and that this culvert would

1 be replaced at the same location and elevation as the existing one as part of the project. Ms. Owens said
2 there was already a culvert there, it will be replaced/extended, not moved. The culvert would be 36
3 inches wide.

4
5 The area was cleared for Section 106 (Historical and Archeological Resources) and there was potential
6 habitat for the Long-Eared Bat. Cutting trees in a non-active time of year would result in "May effect, not
7 likely to adversely affect the species". No other listed species or communities of concern in consideration
8 of wildlife or rare plants was reported by the NHB or found during field work, but wetland impacts were
9 unavoidable.

10
11 Ms. Brodie showed a map of the wetland delineation and impacts of the western section of the project.
12 Ms. Owens said that the culvert would eventually need to be maintained at some point due to age and
13 wear and tear. Vice Chair Riley asked about the two culverts shown on the map. Mr. Bresland said that
14 the lowest part of the roadway would have a catch basin and the other culvert was an existing culvert.
15 More conversation was had on the culverts and their placement and what they would be draining.

16
17 Ms. Brodie explained the total wetland impacts would be 18,803.7/ 0.43 ac, up about 200 SF from the
18 previously-reported impacts listed in the ConComm submittal. The increase was due to the combined
19 effects of decreasing the slope from 1V:3H to 1V:2H in one location and newly incorporating the
20 replacement of the 36" culvert. The impacts were unavoidable, if they tried to go to the south side of the
21 road, even more wetlands would likely be impacted over there. She did say that they had been able to
22 minimize the impacts to wetlands by steepening the slopes. Having the path immediately adjacent to the
23 road also helped to minimize the wetland impact.

24
25 Because of the wetland impact the NHDES Wetlands Rules required compensatory mitigation for the
26 major wetland's application. The project had to investigate on-site opportunities first for mitigation, but
27 there were none since the City of Lebanon only owned a narrow strip of right-of-way along Lahaye Drive.
28 The next route that was being taken was to ask the Conservation Commission if they knew of any projects
29 that could be done for the wetland mitigation. If there were any suggestions, they would be investigated.
30 If there were no suggestions than an In-Lieu Fee would have to be paid by the City.

31
32 Mr. Goodwin asked if, with the increase of slope, that would require a fence being put in, interrupting a
33 wildlife corridor? Ms. Owens said there would be a fence that was required. Mr. Bresland said he would
34 confirm the need for a chain link fence.

35
36 Mr. Lacey suggested improving the hydraulic connectivity between either side of Lahaye Drive as the
37 mitigation for the wetland impact. Ms. Brodie stated that, in her opinion, the current hydrologic regime
38 on the north side of Lahaye Drive is supporting a good-quality wetland with good plant diversity, and that
39 she would be very hesitant to add culverts under the road, for fear that the existing hydrology on the north
40 side of the road could be dried out, to the detriment of the existing vegetative community. Ms. Owens
41 said it could be possible to ask the owners of the land, Dartmouth College, to see what their willingness
42 would be to help with wetland mitigation through buffer preservation. Ms. Owens reminded the
43 Commission that since it was a federal grant, they also needed to raise matching funds and the project was
44 close to being at its limit where that was concerned.

45
46 Ms. Hirai asked where land would come from for mitigation? Ms. Owens said on-site would be
47 Dartmouth, off-site would be first City opportunities then, possibly Dartmouth College property. More

1 discussion was had on mitigation property and projects. Ms. Brodie asked if she was hearing that the
2 Conservation Commission did not have any current proposals for a mitigation project?

3
4 Vice Chair Riley would like to come up with a project instead of in-lieu funds being paid for mitigation.
5 She thought, given time, a project could be thought of. She said it was hard though not knowing the
6 figures that were being thought of for the mitigation.

7 More conversation was had on different places that mitigation could take place. Questions were asked as
8 to what would constitute a mitigation project? Ms. Brodie explained the rules of mitigation and the in-
9 lieu fee process and who might benefit from the fees. Ms. Owens explained that as delays continued the
10 project, the project cost continued to go up.

11
12 Mr. Lacey suggested treating Japanese Knotweed. Ms. Brodie asked if they would be in wetlands? Mr.
13 Lacey said he thought most of the Japanese Knotweed would be in wetlands. However, Ms. Brodie noted
14 that Japanese knotweed tends to grow on sandy, well-drained streambanks, although there could also be
15 places where it is growing in wetlands. Ms. Hirai thought the Commission should look at the wetland
16 options in the City and have another meeting. She thought they could find little areas in the City for
17 mitigation.

18
19 Ms. Brodie asked if they could find some areas and sketch them on a map and send them to her. She
20 asked how long that may take?

21
22 It was decided by some of the members of the Conservation Commission that they would get together to
23 investigate potential wetland mitigation areas in Lebanon. Vice Chair Riley said they could get together
24 informally in a non-quorum group and look for some wetland mitigation opportunities.

25
26 Mr. Goodwin summarized what the Conservation was thinking for mitigation. He said that some
27 members of the Conservation Commission were going to try to brainstorm wetland enhancement ideas to
28 satisfy the mitigation. He said probably a land protection idea was out of the question but perhaps they
29 could come up with a wetland enhancement that would satisfy the DES requirement.

30 31 **4. STUDY ITEMS:**

32
33 **A. Review and Comment Regarding Proposed COL Tree Advisory Board-** Vice Chair Riley said that
34 Mr. Paul Coats asked her to present this idea to the Commission. Some residents of the City have shown
35 interest to do more to protect the trees of Lebanon. They would like to set up a more formalized Tree
36 Board. This Board would be an Advisory Board. She believed that the City Manager asked that the
37 Conservation Commission weigh in on the idea.

38
39 Ms. Hirai said that it looked like the trees being proposed to keep safe were on City lands, not necessarily
40 on Conservation lands. Mr. Goodwin agreed with that statement and said it would be a new Board in the
41 City. He thought the Conservation Commission might like a voice on the new Board.

42
43 ***Ms. Riley MOVED to extend the meeting until 9:00PM.***

44 ***Seconded by Mr. Heistad.***

45 46 **Roll Call Vote:**

47 **Ernst Oidtman, Erling Heistad, Sarah Riley, Donald Lacey, Barbara Hirai, and Susan Almy all**
48 **voting Yea.**

1 **None voted Nay.**

2
3 *** The Vote on the MOTION passed (6-0).**

4
5 Chair Oidtmann asked if this new Board would fill a need? The consensus was it would. More
6 discussion was had on who might be the members on the new Board.

7
8 Mr. Heistad thought LEAC, the Conservation Commission, City Council, and the Recreational
9 Department should all have a seat on the new Board. Ms. Almy added that the Public Works Department
10 should also be involved. Mr. Heistad thought the Board should have 7 members on it. Mr. Goodwin said
11 they could suggest that one of the members on the Tree Board should be a representative from the
12 Conservation Commission. Chair Riley said she would volunteer to be on the Board, it was scheduled to
13 meet every 2 months.

14
15 It was decided that Conservation Commission members would e-mail Vice Chair Riley with any ideas or
16 suggestions that they might have for the new Tree Board. It was agreed that the Tree Board was a good
17 idea.

18
19 Mr. George Sykes, Select Board member, thought the new Tree Board was a very good idea. He thought
20 it should encompass all trees in the City.

21
22 **5. COMMITTEE REPORTS:**

23
24 **A. Conservation Lands Monitors:** Mr. Goodwin said that the City had hired a new Ranger. His name
25 was Mr. Clayton Morlock, but said that Mr. Ron Bailey was still around.

26
27 Mr. Morlock said he had lived in the City for approximately the last 30 years and was very familiar with
28 the trails in the City. He is on the Board of Directors for the Upper Valley Mountain Biking Club. He
29 said his priorities were to take an inventory on what would be needed to stabilize the trails and what
30 signage was needed. He would be looking into getting some grants and volunteers for trail maintenance.

31
32 Ms. Hirai said she had several people who were interested in working on the bog bridges at Boston Lot.
33 She said she needed the information of when the project was going to take place, to e-mail the volunteers.

34
35 Ms. Hirai reported that she has at least 16 volunteers who have reported to the Stewards at the Jackson
36 Conservation Area and Boston Lot. The Stewards have been using the new reporting system online. She
37 also said that there were approximately 20 volunteers from the Church of Jesus Christ of Latter-day Saints
38 that cleared out the north mitigation area at Two Rivers Conservation Area.

39
40 Vice Chair Riley said that there were some people who were using the Eldridge Street Trail head at Star
41 Hill to dump their yard waste. She said the next time she looked the yard waste was gone and a sign was
42 up. Mr. Goodwin said 5 truck loads of debris was removed from that area.

43
44 **B. Lebanon Biodiversity Group:** Mr. Lacey said there was a lot going on, but he yielded his time to
45 Vice Chair Riley. She reported that she and Ms. Hirai, along with other volunteers, had been pulling
46 Garlic Mustard. She also reported that the amphibian migration was successful, and people reported what
47 they had found during crossings in the City.

48
49 Mr. Lacey left the meeting at 8:59pm.
50

1 Chair Oidtmann reported that he had been attending the NH DOT meetings of the Route 120 Committee.
2 He said he had been trying to push to get trees in the median just south of Exit 18.
3

4 **C. Workshops and Educational Opportunities:** Ms. Hirai reported that the Connecticut River Joint
5 Committee was going to have a presentation on invasive plants along the river on May 25th, 2021 at
6 6:30pm.
7
8

9 **6. ADJOURNMENT:**

10
11 **The meeting was adjourned at 9:01 PM.**
12

13 Respectfully submitted,

14 Barbara R. Higgins

15 Recording Secretary

**Agenda
Conservation Commission
June 10, 2021**

**Agenda Item #4A
Study Items**

**Discussion re: amending
rules of procedure to add
Rules of Decorum**

LEBANON BOARD OF CEMETERY TRUSTEES

RULES OF DECORUM AND COMMITMENT TO CIVIL BEHAVIOR

It is acknowledged that:

1. Civil, respectful, and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making.
2. Uncivil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
3. Anger, rudeness, ridicule, obscene or profane language, impatience, and lack of respect for others and personal attacks are not acceptable behavior.
4. Demonstrations in support or opposition to a speaker or idea are not permitted by members of the Board. The Chairman is responsible for maintaining order. Failure to abide by this requirement may result in the forfeiture of the speaker's right to speak.

To maintain a cohesive, productive working environment, the members of the Lebanon Board of Cemetery Trustees commit to:

1. Supporting the Board's mission.
2. Showing respect to each other as appointed members and staff representatives to the Board.
3. Promoting civility during Board meetings and tolerating nothing less.
4. Demonstrating reflective listening and not displaying negative body language (for example eye rolling, pencil tapping, shrugging of one's shoulders, hand gestures, etc.)
5. Allowing uninterrupted speech by those recognized as "having the floor" and refraining from speaking until recognized by the Chair.
6. Bringing cemetery related concerns, issues, and conflicts to the Board for discussion.
7. Offering alternative solution(s) when addressing a problem or issue.
8. Maintaining the confidentiality of material discussed during closed Board meetings.

PLEDGE OF CIVILITY

The manner in which we govern ourselves is often as important as the positions we take. The City's collective decisions will be better and truer to our mission when differing views have had the opportunity to be fully vetted and considered. All those who appear before the City's board and committees have the right to be treated with respect, courtesy, and openness. We value all input.

Accordingly, we commit to conduct ourselves at all times with civility and courtesy, to both those with whom the Board interacts and to each other. We also pledge to endeavor to correct ourselves, should our conduct fall below this standard.