

FINAL

**LEBANON CONSERVATION COMMISSION
REGULAR MEETING AGENDA
Council Chambers, City Hall
Thursday, March 14, 2019
7:00 PM**

MEMBERS PRESENT: Ernst Oidtmann (Vice Chair), Erling Heistad (City Council Rep.), Sarah Riley, Donald Lacey

MEMBERS ABSENT: Harrison Bourne (Chair), Susan Almy, Suellen Balestra (Alt.), Albert Miltner

STAFF PRESENT: Mark Goodwin (GIS Coordinator), Erica Brittner (Assistant City Engineer)

1. CALL TO ORDER – Vice Chair Oidtmann called the meeting to order at 7:17 PM.

2. APPROVAL OF MINUTES: February 14, 2019

Clarifications: Page 1, line 32: remove “the main parking lot” and change to “lot 20”; Page 2, Line 6: remove “They” and replace with “The consultants” and remove “It was” and replace with “They”; Page 2, lines 37-40: remove “The Association is willing to take responsibility for keeping the trails in repair for Lebanon. He agreed that many of the trails are ideal for bikes and there are portions of the trails that are not suitable for bikes.” and replace with “Mr. Riordan indicated that some of the areas being discussed are suitable for bikers, but other areas are currently restrictive for wheeled vehicles and bikes.”; Page 2, line 39: remove “They” and replace with “The Upper Valley Mountain Bike Association will”; Page 2, line 41: replace “He” with “Mr. Riordan”; Page 2, line 49: remove “After an extensive discussion the Commission determined that Lebanon doesn’t have a trail committee.” replace with “There was a lengthy discussion about the proposal. It was mentioned that Lebanon does not have a Trail Committee.”; Page 3, lines 1-2: remove the sentence “Trail easements that are not connected to a conservation easement are outside of the work the Commission has been involved with historically.”; Page 3, line 8: change “Trails” to “Trust.” Page 3, line 13: change “Some member” to “Mr. Donald Lacey and Ms. Sarah Riley” and change “Notley” to Knotweed”; Page 3, lines 33-34: change “In the future it may involve” to “The Trust will be asked to consider”

Ms. Riley MOVED to approve the February 14, 2019 Minutes as amended and presented in the March 14, 2019 agenda packet.

Seconded by Councilor Heistad.

**** The Vote on the MOTION passed (3-0-1). Vice Chair Oidtmann abstained because he was not present at this meeting.***

3. PERMIT REVIEW:

A. CITY OF LEBANON- Review and Comment on NHDES Wetland Standard Review Application.

The project is for the replacement of undersized twin culverts on Stevens Road, with a 57"x38" pipe arch culvert. The minor impact project in review includes 2,190 sq. ft. of impact, including 2,000 sq. ft. of permanent impact and 190 sq. ft. of temporary impact. The property is located at 9 Eagle Ridge Dr and 0 Stevens Rd, Lebanon, NH Tax Map 52 Lots 16 & 18. **CC#2019-03 NH DES File # 2019-00634**

Ms. Erica Brittner represented the item above. She reviewed the documents included in the March 14, 2019 agenda packet with the Commission: the focus being on what would be required for replacement of the failed culverts. She said the City will be receiving FEMA funds, and this is one of the areas being looked into, noting permission was given from DES (Department of Environmental Services) to do this permanent fix.

Mr. Carl Porter (53 Stevens Road, Lebanon, NH) informed the Commission where the drainage runoff would go through the culverts by his home before feeding into Blodget Brook. After explaining the costs his family has already incurred for repairs to drainage on his property, he recommended that the new culverts not have any unintended consequences that would adversely impact his land.

ACTION:

Mr. Lacey *MOVED* that the Conservation Commission recommends the New Hampshire DES approve the Wetland Minor Dredge and Fill Application for a project for the replacement of undersized twin culverts on Stevens Road, with a 57" inch x 38" pipe arch culvert. The minor impact project in review includes 2,190 sq. ft of impact, including 2,000 sq. ft. of permanent impact and 190 sq. ft. of temporary impact. The property is located at 9 Eagle Ridge Dr. and 0 Stevens Road, Lebanon, NH, Tax Map 52, Lots 16 & 18. CC#2019-03 NH DES File 2019-00634.

The recommendation was made with the following conditions:

- 1. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction and remain in place until the area is stabilized. Silt fences must be removed once the area is stabilized.**
- 2. There should be no introduction or spread of invasive species.**
- 3. The Contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.**
- 4. All refuelling of equipment shall occur outside of surface waters or wetlands during construction.**
- 5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting/matting and pinning on slopes steeper than 2:1.**
- 6. All areas cleared of vegetation to be revegetated as quickly as possible.**
- 7. Dredged material shall be placed outside of the jurisdictional wetland area.**
- 8. Conservation Mix shall be used in the event of reseeding & straw as opposed to hay for proposed mulching.**
- 9. Ensuring that an excessive amount of rip-rap, beyond what is calculated as necessary, for the project not be used.**

Seconded by Ms. Sarah Riley.

The Commission discussed the containment of invasive species.

**The vote on the MOTION passed unanimously (4-0).*

4. STUDY ITEMS:

A. Review and Comment to City Council re: Amendment to City Code Chapter 52, Conservation Land Regulations, to permit archery on certain conservation land(s).

The Commission reviewed the background of this proposal, as presented in the March 14, 2019 agenda packet, which included a memo from Deputy City Manager Paula Maville and the proposed changes (red-lined) to Chapter 52: Conservation Land Regulations.

Councilor Heistad said the City cannot regulate the use of firearms because that is done under State regulations but noted there is nothing in the State regulations that states the City cannot regulate how bows and arrows are used.

After lengthy discussions regarding the pros and cons of using bows and arrows on Conservation Land vs. privately owned property, allowed Archery Club Ranges and available Fish & Game Ranges, the following action took place:

Councilor Heistad first moved that the Conservation Commission recommends to the Lebanon City Council that they take no action to Amend Chapter 52, Conservation Land Regulations, but continue to have cross bows and bows prohibited on City Conservation Land except during hunting season. After some discussion, the motion was withdrawn and restated as below:

ACTION:

Mr. Lacey MOVED that with reference to the proposed Amendment to the City Code Chapter 52, Conservation Land Regulations, to permit archery on certain Conservation Lands, the Conservation Commission recommends no change to Chapter 52.

Seconded by Ms. Riley.

**The Vote on the MOTION passed unanimously (4-0)*

B. Master Plan Implementation Status Reporting Responsibilities.

Ms. Riley said the goal for this meeting was to select 15 items from the Chapter 5 Action/Strategies Plan of the City's Master Plan. The Commission discussed and selected the following Action/Strategy items from approximately 85 items mentioned under the Chapter 5, Action/Strategy Plan as developed by the Planning Department. (Note: Each Commission member has a copy of, or access to, the Chapter 5 Action/Strategy Plan that they can referred to for complete details of what is included below.)

Outcome 1:

- Action 1
- Action 2
- Action 5
- Action 6
- Action 10

Outcome 2:

- Strategy 2
- Strategy 5
- Strategy 24
- Action 14
- Action 16
- Action 17
- Action 18
- Action 23

Ms. Riley said that she will not be present at the April meeting but will have written reports on the above for the Commission to review.

5. COMMITTEE REPORTS: None.

- A. Conservation Lands Monitors (Various Members):
- B. Lebanon Biodiversity Group (D. Lacey):
- C. Workshops & Educational Opportunities (Various Members):

6. OTHER BUSINESS: No Discussion.

7. FUTURE AGENDA ITEMS: None.

8. OPEN TO PUBLIC: No members of the public spoke.

9. ADJOURNMENT:

Vice Chair Oidtmann MOVED to adjourn the meeting at 9:36 PM.

Seconded by Councilor Heistad.

** The Vote on the MOTION passed unanimously (4-0).*

Respectfully submitted,
Dona E. Gibson
Recording Secretary