

CONSERVATION COMMISSION MINUTES

February 1, 2023

APPROVED: 3/1/23

AGENDA: CONSERVATION COMMISSION CHECKLIST
TRAINING WORKSHOP SUGGESTIONS FOR MARCH MEETING
BRISTOL PUBLIC SAFETY BUILDING – WETLANDS PERMIT UPDATE

ATTENDING: Carroll Brown (Chair), Richard Batchelder (Vice Chair), Elizabeth Miller, Janet Cote (arrived late), Chip Carleton (Alternate)

ABSENT: Richard Metcalf and Bill Haskell (Alternate)

OTHER: Christina Goodwin (Town Administrator), Joanne Bailey (Land Use Manager), and Donna Sullivan (Land Use Administrative Assistant)

Chair Brown called meeting to order at 6:18 pm with a quorum present in-person. A roll call was taken. Mr. Brown motioned to appoint Mr. Carleton as alternate for filling in for Mr. Metcalf allowing full participation including voting. Mr. Batchelder seconded. The motion carried 3-0-0.

OLD BUSINESS:

SPECIAL USE PERMIT CHECKLIST REVIEW

The Commission reviewed the draft Bristol Conservation Commission Special Use Permit Checklist and Special Use Permit Checklist Criteria for Decision documents as revised from previous meeting discussion and created by Land Use Administrative Assistant Donna Sullivan.

Mr. Carleton suggested a change to the Wetlands Conservation Overlay District Definition provided on Criteria for Decision document. He asked that the word “certain” be added before the word “cases” in the fourth sentence. Ms. Goodwin stated that this is worded as it is in the Wetlands Overlay Ordinance which could be amended by recommendation to the Planning Board in the future. After discussion with staff and Commission members, it was determined for the checklist definitions only, that the beginning of sentence should be changed to read “In certain cases as determined by the Planning Board,”. A sentence will be added to the document describing definitions for Conservation Commission purposes and referral to the actual ordinance for further definitions.

Further discussion followed on the Special Use Permit Checklist. Members were pleased with the format and references. Mr. Brown stated he liked that it was a 1 sheet document as well. With any changes, adjustment of margins, font size and heading margins could be used to keep both documents to 1 page each.

Ms. Goodwin stated checklist items are taken from the ordinance. She added that upon this review, under Special Provisions the Ordinance Article references should be added and an edit to #14 will change Section 9.5 to Article 9.5.

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Mr. Brown did add that he thought that more should be added regarding the determination of a wetland. He suggested adding the following questions with Ordinance references under the subheading of Impact of Proposed Project on the Character, Injury or Reasonable Use of Property.

- Is there visible water at or near ground surface level?
- Are there plant species characteristic of a wetland present?

Others agreed that adding questions to get more detail will help with the Conservation Commission review of projects for Planning Board recommendations, and any other permitting needs.

Ms. Sullivan will make the changes discussed and it was agreed that the Commission will try a dry run of the Checklist documents with the Town's Public Safety Building project allowing for any bugs to be worked out prior to using for any future applications.

TRAINING WORKSHOP SUGGESTIONS FOR MARCH MEETING:

Mr. Brown suggested that the scheduled presentation by Rebecca Hanson of NLRA could begin around 5:30 pm within the Lake Water Quality Study Group (LWQSG) meeting and continue into the Conservation Commission Meeting. This would keep Rebecca's time to 1 hour total for her presentation. Both meetings would keep start times of 5 pm for the LWQSG meeting and 6 pm for the Conservation Commission meeting on March 1, 2023. Ms. Goodwin will contact Ms. Hanson to confirm timing and information can be updated with next month's meeting materials.

NHDES WETLANDS PERMIT – TOWN OF BRISTOL PUBLIC SAFETY BUILDING – FILE #2022-03441 - UPDATE

Ms. Goodwin shared that she had spoken with Mike Vignale, the engineer who is helping the Town with this project. She stated that with the issue of Expedited Wetlands Permit he understood that it would be the longer review time without a Conservation Commission Waiver. She added in reference to other questions from the Commission about Shoreland Protection and other permits that might be necessary, it was found that the project would require a Shoreland Permit and an Alteration of Terrain Permit because the corner of the lot is within the 250' of the Newfound River and the lot alteration activity will disturb 68,000 sq. ft. which is over the 50,000 sq. ft. minimum. She added that the Town will be submitting applications for a Special Use Permit, Conditional Use Permit and Site Plan. It was noted that the Town does not have to apply for all these permits as a rule, but it was felt that it should comply with all permits that would be required of anyone else doing projects in the Town of Bristol. An approved Wetlands Permit has not yet been received from the NH Department of Environmental Services (NHDES). A memo from the New Hampshire Natural Heritage Bureau concerning Negative DataCheck Results for any threatened, endangered, or sensitive species at this site was shared. This document is to accompany the State permits.

MINUTES:

The Draft minutes of January 4, 2023, were reviewed. Mr. Batchelder moved to approve the minutes as written. Chair Brown seconded the motion. The motion carried 5-0-0

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COMMISSION MEMBER ITEMS:

NHACC ONLINE TRAINING SESSIONS

Ms. Miller shared information and appreciation for the New Hampshire Association of Conservation Commissions (NHACC) online luncheon workshops. She stated that these were very informative, professionally presented, and helped her greatly to understand issues, technical language, and other applicable resources. She said some great resource materials are issued with these sessions that she will share. Mr. Batchelder reiterated this and stated he too has been attending these through ZOOM. He has pre-registered for several of these. Mr. Carleton stated he was unable to get into one he tried to. Ms. Miller and Ms. Bailey shared that the easiest way to sign up for these was from the NHACC email which had links to each of the workshops. The website sometimes shows these as full, but the email links allow for sign in and sign up. Ms. Goodwin suggested that all Commissioners sign up for the upcoming session on *NH DES Rules and How the Permit Review Process Works* to be held on March 31, 2023, at NOON. The staff was also interested in this one. Ms. Bailey also mentioned an *On-line GIS Mapping Tools* session for March 8, 2023 at NOON.

FOLLOW-UP INFO FOR FUNDING FOR PROPERTY PURCHASE OPPORTUNITY

Mr. Batchelder mentioned that he had a conversation with Roger LaRochelle of the Squam Lakes Association, and he stated he would be happy to talk with the Conservation Commission about funding and other aspects of land purchases for conservation purposes. Mr. Batchelder stated that the Squam Lakes Association has been involved with many property acquisitions for conservation and protection purposes. Mr. Brown suggested Mr. LaRochelle be invited to the April 5, 2023, meeting and this could be considered the April training. Mr. Batchelder will contact him to see if that date and time will work.

BRECK-PLANKEY SPRING – SAND DRUM UPDATE

Mr. Brown reported that a sand drum at the Breck-Plankey Spring is being used by patrons and he has refilled it twice. He planned to get more sand from the Highway storage and refill it after the meeting.

LAND USE STAFF COMMENTS & UPDATES:

UPDATE – FEMA MAPS

Ms. Bailey updated the Commission the FEMA deadline for appeals regarding their changes to Flood Plain Maps had passed with no appeals. She shared that Jeff Chartier had noticed some road names that needed to be updated and that information was sent to FEMA.

UPDATE – BRISTOL WETLANDS INVENTORY & MAPS

Ms. Sullivan shared that she contacted Brian Keith in January regarding update to Wetlands Inventory Mapping. He indicated he would review the old report from the 80's and compare it to current standards to see if he could update and revise or if unable to possibly recommend others to do this. She indicated that she had not heard back from him since so was not sure if this will be a dead end.

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NHACC – CALL TO ACTION – HOUSE BILL 592

Ms. Goodwin shared a communication and request for action from the NHACC regarding opposing NH HOUSE BILL 592 which would impact local land use requirements for wetlands protection by limiting any local land use permits or overlay districts being required or applied to any project with 3000 sq. ft. or less impact within 50' of a Wetland. The Commission reviewed the Bill online and Mr. Brown shared the State House process for any Bills coming before committees and the House. He will check on status of the

Hearing and process. Ms. Cote asked if this impacted NHDES and Bristol, what would constitute "local"? The NHACC will be contacted to get some clarifications. Ms. Goodwin indicated, if preferred, a letter of opposition could be sent from Land Use and others could also sign the petition individually if so inclined. This will be shared with Planning Board as well.

MISCELLANEOUS TOWN ACTIVITY UPDATES

Ms. Goodwin updated the Commission on other activities of the Town. She stated that Police Chief James McIntyre would be moving on to his new position at the Belknap County Sheriff's office and that the Select Board has promoted Lt. Kris Bean to Police Chief. There will be a presentation to outgoing Chief McIntyre and a Swearing-in Ceremony for Chief Bean at the Select Board Meeting on Thursday, February 2nd which will be live-streamed for those who might be interested but cannot attend.

Ms. Goodwin shared the upcoming 2023 Budget Committee Hearing date as February 7, 2023 at 7 pm at the Town Office Meeting Room. She also shared the new Town Meeting Page on the Town Website. This page listed Town Meeting and Election Dates and supporting voting information, Town positions open for elected officials with filing deadline, the zoning amendments and other information for voters and residents.

NEXT MEETING: March 1, 2023, at 6 pm

Water Quality Study Committee Meeting - March 1, 2023, at 5 pm

Rebecca Hanson - NLRA Training Presentation 5:30 pm – 6:30 pm

ADJOURNMENT:

With no other business, Mr. Batchelder moved to adjourn. Mrs. Miller seconded. The motion carried 5-0-0. The meeting adjourned at 7:21 pm.

Respectfully submitted,

Janet Cote
Land Use Associate