

HILLSBOROUGH CONSERVATION COMMISSION

February 14, 2023

Held at Police Station Training Room

Approved Minutes

Chair Head called the Hillsborough Conservation Commission (HCC) meeting to order at 7:03 pm.

Members present: Richard Head, Chair; Linda White, Vice-Chair; Terry Yeaton, James McDonough, Roger Shamel.

Also attending: John P. Segedy, Recording Secretary & Alternate.

MINUTES

- a. December 13, 2022** Linda White offered a couple of corrections.

Roger Shamel moved: *To approve the minutes of December 13, 2022 as amended.*

Linda White seconded. Motion Passed 5-0.

- b. January 10, 2023**

Roger Shamel moved: *To approve the minutes of January 10, 2023.*

Linda White seconded. Motion Passed 5-0.

- c. January 24, 2023** Terry Yeaton suggested a wording change.

Roger Shamel moved: *To approve the minutes of January 24, 2023 as amended.*

Terry Yeaton seconded. Motion Passed 4-0-1 (Linda White abstained).

CORRESPONDENCE

- a. NH Department of Environmental Services (NHDES) – 804 West Main Street (M 19, L 7).** Request for more information.

b. Town of Hillsborough Planning Department – Request for Comment Site Plan amendment. 31 Carr Rd. (M 1, L 27). The HCC reviewed and agreed by consensus for Chair Head to reply that the Commission has no comments.

- c. NHPDIP (NH Public Deposit Investment Pool) – Account balance \$190,163.07.**

- d. Town of Hillsborough Planning Department – Proposed Dark Sky Ordinance.**

e. Town of Hillsborough Planning Department – Request for Comment – Subdivision application 378 Bear Hill Rd. (M 12, L 145). Updated plan. Chair Head reported this has been approved.

f. Fox Forest Newsletter - There was discussion of the Environmental Lecture Series in March and April. Consensus of the Commission was to start the March 28th and April 11th meetings at 6:00 so that interested members could attend the lectures.

g. Town of Hillsborough – Variance from Shore-land Setback Application – Melody Lane (M 13, L 1). John Segedy recused himself from discussion of this item.

James McDonough reported that he had driven by the property, He said he thought that it was a small lot, and to close to the brook. Noting another recent complaint along the brook and a development on Bog Road he opined that there was too much pressure on Sand Brook.

Richard Head said that with the slope all water flow would be into the brook.

James McDonough said that the low area of the property floods.

Linda White expressed concern that Sand Brook was a wild trout stream.

The Commission reviewed a flood plain map noting the lower area of the property including where the driveway is proposed appears to be in the flood plain.

Roger Shamel was concerned about pollution getting into the stream from the driveway.

James McDonough mentioned that there is a silt fence along the stream currently but that can't be a permanent fixture.

Richard Head expanded saying that there really was no detail about erosion control, noting that “noticeable” is not the standard to meet. He made note that the “Public Interest” is water quality.

Roger Shamel moved: *To authorize Chair Head or his designee to provide feedback including testifying at the hearing consistent with the concerns discussed including but not limited to : The criteria described by the Applicant in Section 2 of the Application for Variance as follows: 2.A (not contrary to the public interest): The Applicant’s statement does not address the purpose of the 75 foot setback. The purpose of the setback is to protect water quality and is not based on whether or not moving the cabin closer to the river would be noticeable 2.B (Spirit of the Zoning Ordinance): By elevating the structure on concrete piers does not address the water quality issues or eliminate the impervious surface issues that would be created by placing the cabin within the 75 foot setback. In addition, the plan references “proposed erosion control” but does not include detail on the type of erosion control measures that are proposed, the timing of installation or plan for maintenance. The Conservation Commission does not believe the placement of silt fence alone would be a sufficient erosion control measure if that is what is intended on the plan. Based on a review of the Town floodplain map available through the Town’s website, the property falls within the floodplain of Sand Brook. This does not appear to be noted on the plan, but further exacerbates the water quality issue. The Applicant purchased the property after the 75 foot setback was established and therefore should have been aware of the limitations on the property at the time it was purchased.*

James McDonough seconded. Motion passed 5-0.

John Segedy unrecused himself.

OLD BUSINESS

a. Confluence Trail - West Main St. (M 11K, L 330-1). Richard Head reported that Peter Mellen told him the longest crossing on the existing draft plan needed to be longer. The Commission agreed to the location on a plan. Chair Head will pass the info along to Peter.

b. Sand Brook – Tabled.

c. Sidewalk Project – Wetlands Dredge and Fill Application – The Commission reviewed the latest plans.

NEW BUSINESS

a. Newsletter - The upcoming deadline was discussed and the Commission decided to put in a note about vacancies. Terry will send one he wrote on Facebook to John who will submit it.

b. Loon – The HCC decided there would be no presentation this year.

c. Terry Yeaton – spoke about the Dark Sky’s ordinance, the Bronnenberg property having brush piles for wildlife and a possible USDA easement on Stowe Mountain Road.

d. Roger Shamel – noted he had tried to complete the Tree Survey but had to pass it on to Laura Buono.

ADJOURNMENT

Roger Shamel moved: *To adjourn.*

Linda White seconded. Motion Passed 5-0 at 8:41 pm.

Respectfully Submitted:

John P. Segedy
Recording Secretary
Approved April 11, 2023