

TOWN OF BRISTOL
CONSERVATION COMMISSION MEETING MINUTES
AUGUST 3, 2022

APPROVED: 9/7/22

AGENDA: 22SUP09 – Amy Manzini, Esq. – 482 West Shore Road - #203-067 Sub #001-002
2022 Monitoring Report to Forest Society – Catterall Easement
Wetland Overlay District Memo
Wetlands Overlay/Septic System Research
Schedule Wetland Site Visits
Lake Water Quality Study Workgroup Update
Breck-Plankey Spring Water Test Results
What More Can the Conservation Commission be doing?

ATTENDING: Carroll Brown, Jr. (Chair), Richard Batchelder (Vice Chair), Elizabeth Miller, Janet Cote, and Richard Metcalf

ABSENT: Karen Bemis (Alternate)

OTHER: Christina Goodwin (Land Use Manager), Chip Carleton (new owner of Catterall Easement property on Hemphill Road)

Mr. Brown called meeting to order at 6:05 PM with quorum present.

MINUTES:

The Commission reviewed draft minutes of June 1, 2022. Mr. Batchelder moved to approve the minutes as written. Mrs. Miller seconded. The motion carried 4-0-1, with Mrs. Cote abstaining.

NEW BUSINESS:

22SUP09 – Amy Manzelli, Esq. – 482 West Shore Road - #203-067 Sub #001-002

Ms. Goodwin updated Commission of this pending Special Use Permit application with the Planning Board stating that this will be postponed due to illness for the Applicant’s Attorney and family.

OTHER

Before moving to next agenda item, Mr. Brown asked Mr. Carleton to introduce himself and asked if there was anything specific that he was present to discuss with the Commission so that it could be taken up first in the agenda. Mr. Carleton stated he was the new owner of the Dr. Carlson property up on Hemphill Road and had a few questions regarding the Catterall Easement. He indicated that he would like to understand and abide by the Easement and hoped also to get to know the Commission and more about the Town as well. Mr. Brown asked each of the Commission members to do a roll call introduction for Mr. Carleton.

2022 Monitoring Report to Forest Society – Catterall Easement

Christina introduced a reminder received from the Forest Society with instructions and information regarding the Commission’s responsibility to conduct annual monitoring of the Catterall Easement. Mr. Brown explained to Mr. Carleton that this activity was conducted yearly with a walk of the boundaries of the easement area and then a report is submitted to the Forest Society. Discussion followed about **2022**

TOWN OF BRISTOL
CONSERVATION COMMISSION MEETING MINUTES
AUGUST 3, 2022

Monitoring Report to Forest Society – Catterall Easement continued

scheduling a monitoring date and getting contact information from Mr. Carleton. The date set is September 10, 2022, at 9:30 AM. Mr. Carleton will join the Commissioners for the visit.

Further discussion followed with Mr. Carleton being provided copies of the easement and deed boundary information. Mr. Carleton asked about any past issues with easement monitoring, and he was updated about the moving of a snowmobile trail. Ms. Goodwin stated she could get him copies of the past monitoring reports. Mr. Brown let him know that he would be contacted prior to any monitoring activity, and it usually happened in the fall. Mr. Carleton talked a bit about plans for quiet enjoyment of retirement on the property and he also talked about some plans for maintenance of buildings especially the original barn that he wanted to restore.

Wetland Overlay District Memo

Ms. Goodwin read a memo from the Planning Board to the Commission regarding a suggestion made from a licensed Wetlands and Soils Scientist that the Town consider using the most recent National Wetlands Inventory (NWI) Map as a wetland overlay to protect wetlands. The memo further stated that NH RSA 405 indicated wetland delineations shall remain valid for five (5) years, but the Board was not sure how this applied to the Wetlands Overlay District. This memo was requesting the Conservation Commission input on which overlay should be used or if any change should be made to current practice.

Ms. Goodwin displayed both the NWI and Town overlays on the large screen for the Commission to view. Mrs. Cote stated concern for the differences and asked if both overlays should be used. Mr. Brown was concerned about the possibility of too much restriction and felt that as suggested by one professional, there would be many others that may disagree. His concern was that the Town's overlay was an on the ground study and the NWI was an aerial flyover photo process. Mr. Metcalf also felt that there should not be a switch to NWI thereby discounting the Town's overlay.

More discussion followed about the differences between the two (2) overlays and the importance of all applicable protection areas including well protection areas that should be considered for Special Use Permit Applications, septic design, wetlands protection and shoreland protection. Mr. Brown suggested getting a professional opinion about this before any changes. Ms. Goodwin stated she could email B. H. Keith about a cost estimate to redo and update the existing overlay and Mr. Brown asked her to include getting his opinion about substituting the NWI maps.

Following discussion, Mr. Metcalf motioned to send a memo to Planning Board stating that the Conservation Commission was opposed to the substitution of the Town's Wetlands Overlay with the NWI Maps and the Conservation Commission will investigate getting data and information regarding combining both overlay maps. Mr. Batchelder seconded. The motion carried 5-0-0.

Wetlands Overlay/Septic System Research

Mr. Brown asked if the 50-foot setback requirements in the Wetlands Overlay District included the area of construction or if the 50-foot setback starts at the foundation wall. Ms. Goodwin read the Zoning and

TOWN OF BRISTOL
CONSERVATION COMMISSION MEETING MINUTES
AUGUST 3, 2022

Wetlands Overlay/Septic System Research continued

stated that it includes any construction activities. The Commission agreed this should be kept in mind when making any recommendations to the Planning Board.

Mr. Metcalf reported that he conducted research to make comparison of the setback requirements for septic systems required in other New Hampshire towns that had Wetlands Zoning or other criteria prescribed for development in wetlands areas. That research consisted of review of a number of towns and what he found was that out of the towns researched 44% have requirements that go beyond the State setback restrictions and only 16% of these towns follow only the State guidelines. He investigated State and Federal requirements and found that the Army Corps of Engineers setback information was detailed, and this information did not reference 125-foot setbacks. Based on the research he did not feel that Bristol should change to State setback rules only. His opinion is the issue for Bristol is that applicants and their experts always seem to quote the State setbacks of 50 feet or 75 feet.

In response to this issue, his and other Commission members concerns go back to the impact on the wetlands in question with each application. It was determined that the Planning Board can grant an exception taking into consideration the Conservation Commission recommendation and other presentation materials so a change may not be warranted. The best path may be to get more detailed information regarding details of ordinances in other towns and consult wetlands experts and septic design experts to determine guidelines or checklists for Land Use personnel and Boards to guide in decisions. Mr. Metcalf agreed to do some more research on other Town ordinances and create a memo for the Conservation Commission to present to the Planning Board. Mr. Brown suggested as homework all Commission members should review septic/wetlands materials from Army Corps of Engineers, and NH Department of Environmental Services (DES) for future discussion. Mr. Brown will follow up with Army Corps of Engineers about their materials and reasoning for setbacks.

Schedule Wetland Site Visits

Mr. Brown stated that new Commissioners might want to visit the Conservation Commission easement and protected property to get a sense of where and what is being protected and, in some cases, managed by the Commission. Discussion followed to set a date when all interested could conduct site visits. It was determined that members could continue site visits following the Catterall Easement monitoring, on Saturday, September 10, 2022. Sites will include the Bennett Wetlands. Mr. Brown and Ms. Goodwin will send a list of properties and reminder email to members.

Lake Water Quality Study Workgroup Update

Mr. Brown reported that progress is being made to set up this workgroup to address water quality issues for Newfound Lake in response to clarification of the need for sewer to the lake and to further determine any water quality threats. He stated that social media and the Town's website now have postings about formation of this group and its purpose and contact info for any that may want to join the special committee. The next step is to set meeting dates to organize the committee and begin research of reports, data, and history.

TOWN OF BRISTOL
CONSERVATION COMMISSION MEETING MINUTES
AUGUST 3, 2022

Breck-Plankey Spring Water Test Results

The Commission discussed the results of a full analytical water test from 5/31/22 for the Plankey Spring. Mr. Brown stated that the Commission performs quarterly testing and that a full analysis is done once per year and the other three (3) tests are for bacteria only. The report shows details of the analysis and bacteria. The results are great with no issues found. A copy of these results is posted on the Town Website on the Conservation Commission page. Some discussion about how the more detailed analysis samples are taken, and the importance of the correct procedure continued. The next test is scheduled to be bacteria only. Mr. Brown invited members to join him and assist to learn more about how sampling is done.

What More Can the Conservation Commission be doing?

Mr. Brown stated that members had an interest in exploring more activities for the Commission to get involved in or pursue to serve its mission and the community. There was a brief discussion of what the Commission had as goals and activities in the past. Mrs. Cote stated that the Commission had intentions to provide conservation education opportunities in the form of workshops and brochures and that in early years even sponsored a local student to attend Conservation Camp. With discussion including working with other organizations and seeking to partner with others for possible educational offerings, Mrs. Cote suggested it might help to have a brainstorming session where ideas could be discussed and determined. It was agreed that this would be a fall agenda item for the Commission and Ms. Goodwin stated that Land Use has been through similar sessions and staff could be helpful with facilitation of a brainstorming session.

Communications

Ms. Goodwin explained that the Land Use Office will now be closed to the public on Wednesdays through the month of August. The Town Clerk/Tax Collector Office has closed Wednesdays until further notice due to staffing and workload issues as well.

Ms. Goodwin updated the Commission about upcoming Land Use Board meetings and agenda items as well as Zoning Ordinance changes completed resulting from the March vote. She asked Commission members if they wished a paper copy or digital copy of updated Zoning Ordinance. Based on the response she will provide paper copies for the Commission binders that are being prepared at present. Until then, members can find the updated version on the Town Website.

Ms. Goodwin shared the Newfound Lake Region Association (NLRA) investigation report regarding impact of fireworks over Newfound Lake. The report results were based on data found and the resulting conclusion was that the fireworks had little or no impact to the water quality of the lake. She also shared notice of the NLRA Water Study Meeting to be held October 24, 2022, at the Bridgewater Town Hall. Mr. Brown asked that the Fireworks article be added to the Lake Water Study Group information.

Ms. Goodwin reminded the Commission of the deadline of Monday, August 8, 2022, for any additional questions they might want to see included in the Master Plan Survey being finalized by the Planning Board. It was suggested that members should send their questions to Mr. Brown by Monday, then he will forward these in one email to Planning Board by August 8 at 4:00 PM.

TOWN OF BRISTOL
CONSERVATION COMMISSION MEETING MINUTES
AUGUST 3, 2022

Communications continued

Ms. Goodwin reported that NHDES has approved the Shoreland Impact Permits for the 40 Beech Street property plan to build two (2) townhouses and the Wulamat Road beach sand project.

Mr. Metcalf asked about the Steep Slope work being updated by the Planning Board, and Ms. Goodwin indicated she would send out research and draft information to the Conservation Commission.

Mr. Brown asked Mr. Carleton if he had any questions or comments about the meeting agenda items. Mr. Carleton stated he found the discussion interesting and offered his concern about disappearing farms with development as a question for the survey.

Next Meeting: The next meeting is scheduled for September 7, 2022, at 7:00 PM.

Adjournment:

With no other business before the Commission, Mr. Batchelder moved to adjourn. Ms. Miller seconded. The motion carried 5-0-0 and the meeting adjourned at 8:08 PM.

Respectfully submitted,
Janet F. Cote
Land Use Associate