

TOWN OF BEDFORD CONSERVATION COMMISSION MINUTES
August 25, 2020

A meeting of the Bedford Conservation Commission was held on Tuesday, August 25, 2020 via the Zoom meeting platform.

Present: Maggie Wachs, (Chair), Bill Carter (Vice Chair & Town Council), James Drake Bob MacPherson, Stephen Clough (Alternate), Stephanie Jones (Alternate), Karin Elmer (Planner I), Rebecca Hebert (Planning Director).

Absent: Beth Evarts, Denise Ricciardi (Town Council Alternate), Greg Schain (alternate), Patricia Grogan (Alternate)

7:00 PM Call to Order

Chairman Wachs called the Bedford Conservation Commission meeting to order at 7:00 PM. Members of the Commission introduced themselves via roll call and all indicated they were alone in the room during this online meeting.

Ms. Elmer read a statement:

- *Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Conservation Commission is authorized to meet electronically.*
- *This meeting is being conducted using the Zoom platform. All members of the Board have the ability to communicate with each other during the meeting, and the public has access to listen and participate by dialing 929-205-6099 and entering the Meeting ID # 935-4594-4975 and the meeting Password 937669. Instructions regarding remote access to the meeting have been published in advance and are available on the Conservation Commission agenda, which is posted on the Town website.*
- *There is no physical location for the meeting, which is permissible pursuant to the Governor's Emergency Order. Town of Bedford is providing public access to the Zoom meeting by telephone, and the meeting will also be broadcast live on BCTV's Channel 22.*
- *Members of the public may email staff at planning@bedfordnh.org to ask questions during the meeting or notify us of technical issues. If you have joined the meeting using Zoom, you may also ask questions when the Chair opens the hearing for public comment through your phone connection.*
- *All votes will be taken as a roll call vote.*

- *If there are technological issues during the meeting, the Chair will recess the meeting and we will try to correct the problem. If the issue continues, the application will be postponed, and the meeting will be adjourned.*

Ms. Elmer read the agenda for the evening's meeting.

Ms. Wachs read the Conservation Commission Mission Statement.

Approval of Minutes:

- July 28, 2020 Conservation Commission Minutes

MOTION by Mr. Carter to approve the July 28, 2020 minutes as written. Seconded by Mr. MacPherson. Roll call vote: Ms. Wachs, abstained, Mr. Drake, approved, Mr. MacPherson, approved, Mr. Carter, approved, Mr. Clough, approved, Ms. Jones, abstained – Motion passed.

- February 11, 2020 (Non-Public Minutes)

Motion by Mr. Drake to approve the February 11, 2020 non-public minutes. Seconded by Mr. Carter. Roll call vote: Ms. Wachs, approved Mr. Drake, approved, Mr. MacPherson, abstain, Mr. Carter, approved, Mr. Clough, abstained, Ms. Jones, abstained – Motion passed.

Ms. Elmer explained why minutes are voted to be sealed and when appropriate to unseal the minutes because disclosure will have no adverse effects at this time.

Motion by Mr. Carter to unseal the February 11, 2020 non-public minutes. Seconded by Mr. Drake. Roll call vote: Ms. Wachs, approved, Mr. Drake, approved, Mr. MacPherson, approve, Mr. Carter, approve, Mr. Clough, approve, Ms. Jones, approve – Motion passed.

New Business:

Raffael Raduazo – A boy scout from Troop 135. Presentation of a potential Eagle Scout project for new Conservation Area signs. Mr. Raduazo explained his project for two signs. One at Ash Bog and the other for the Sebbins Pond Conservation Area. Revised signs with have letters created with a router into lumber. There will be no aluminum parts to the sign.

Mr. MacPherson asked when this project would be started. Mr. Raduazo responded that he has already begun the process and said it would be completed as soon as possible. Mr. Clough asked about the height. Ms. Elmer stated that this is a standard design. Mr. Clough asked if polyurethane to help preserve the sign longer. Mr. Raduazo said that is part of the design. Mr. Clough asked who will be doing the routing and if they are allowed to use power tools. Ms.

Elmer said this is allowed. Mr. Clough expressed his gratitude to Mr. Raduazo in volunteering his time on the project.

Ms. Wachs asked what the exact wording on the sign will be. Ms. Elmer stated that she would look at the samples and give him a final approval.

There were no public questions or comments.

Motion by Mr. MacPherson to approve the Eagle Scout project as presented by Mr. Raduazo. Mr. Carter seconded the motion. Roll call vote: Ms. Wachs, approved, Mr. Drake, approved, Mr. MacPherson, approve, Mr. Carter, approve, Mr. Clough, approve, Ms. Jones, approve – Project approved

Mr. Drake asked Mr. Raduazo to come back when the project is complete to make a presentation to the Commission on the final outcome of the project.

Old Business:

Ms. Elmer updated the Commission on Pulpit Rock Conservation Area trail improvements. They have all been completed. The NH Dept. of Historical Resources has given their final approval of the project. We are now working on finishing up all the paper work associated with the grant for final submission. When the submission is completed we will give an update to the Commission on how much money was actually spent and a type of after action report on the project overall.

Ms. Elmer updated the Commission on the Pulpit Rock Forest Stewardship Plan. Mr. Klemarczyk of FORECO has completed all the work and he is now in the process of finalizing the plan. He will present the final plan to the Commission at their September meeting.

Other Business:

Ms. Elmer gave an update to the Commission on previously reviewed permits and ZBA actions. The DOT permit for the Boynton St. culvert is still pending a final approval from NHDES.

Mr. Hamel continued to the ZBA for review of his variance request to install a pool within the wetland setback. The ZBA had a lot of questions. They did review all the comments from the Commission about the addition of rain gardens. The ZBA asked Mr. Hamel to have the raingardens added to the plan with calculation on how they are sized. The application was then tabled to September.

Mr. Drake stated also they asked if it was a substantial change. The ZBA seemed to indicate that there was no substantial change. Ms. Elmer clarified there are legal guidelines the ZBA must follow when reviewing applications. They do not have the luxury of working with applicants at multiple meetings the way the Conservation Commission can.

Ms. Elmer state that Circle Drive Associates was also approved by the ZBA for the filling of a wetland that the Commission did not support. Mr. Drake took issue to how the ZBA reviewed that application. Ms. Elmer stated they did review the minutes of the Conservation Commission

meeting and understood your concerns but the ZBA works under differ legal standards than the Commission.

Discussion continued regarding the development of the Circle Drive site on S. River Rd. Mr. Drake took exception to the DES permit approval. Ms. Elmer stated that the ZBA has a very narrow review of the application. They were only looking at the variance for the wetland fill and not the entire site development process.

Mr. Drake stated the DES permit needs to be reopened and the developer should be sending a notice to DES that the plan has been modified.

Discussion on the dredge and fill permit for Circle Drive Associates continued.

Ms. Hebert stated that the development has been made significantly smaller then when it was first proposed to the Commission. The DES reviews the impacts to wetlands, not the overall site development as far as placement of buildings or roadways. You and they are looking at jurisdictional areas and what are the least impactful areas for development.

Non-Public Session:

Motion by Ms. Wachs to enter non-public session at 8:04 pm Per RSA 91-A:3, II(d) for consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Seconded by Mr. Carter. Roll call vote: Ms. Wachs, yes, Mr. Drake, yes, Mr. MacPherson, yes, Mr. Carter, yes, Mr. Clough, yes, Ms. Jones, yes – Motion passed.

Motion by Ms. Wachs to come out of nonpublic at 9pm. Second by Mr. Carter. Roll call vote: Ms. Wachs, yes, Mr. Drake, yes, Mr. MacPherson, yes, Mr. Carter, yes, Mr. Clough, yes, Ms. Jones, yes – Motion passed

Motion by Mr. Carter to seal the minutes of the non-public session. Seconded by Mr. Drake.

Roll call vote: Ms. Wachs, yes, Mr. Drake, yes, Mr. MacPherson, yes, Mr. Carter, yes, Mr. Clough, yes, Ms. Jones, yes – Motion passed

Motion by Mr. Carter to adjourn at 9:01pm. Seconded by Mr. Drake. Roll call vote: Ms. Wachs, yes, Mr. Drake, yes, Mr. MacPherson, yes, Mr. Carter, yes, Mr. Clough, yes, Ms. Jones, yes –

Meeting adjourned.

Respectively submitted by Karin Elmer, Planner I

