

**Town of Newport, NH**  
**Newport Conservation Commission**  
**November 16, 2022 6:30 PM**  
**Board of Selectmen's Room/Municipal Building**  
**15 Sunapee Street/Newport, NH**

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**MEMBERS PRESENT:** Barry Connell, Chairman and BOS Representative; Donald Schagen, Vice Chairman; Guenter Hubert, Lawrence Schissel, Linda Dennis, Ken Dennis

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Christina Donovan, Planning and Zoning Administrator

**VIDEOGRAPHER:** John Lunn, NCTV

**CALL TO ORDER:** Chairman Connell called the meeting to order at 6:32 pm followed by a roll call of the Commissioners and in attendance the Pledge of Allegiance. (full meeting go to: [www.nctv-nh.org](http://www.nctv-nh.org) )

**AGENDA REVIEW:** add comment on the reports for LCPR (L. Dennis), ADD: PJ Lovely may be at the Conservation meeting (Schissel), comment on Bike Hike Play Newport in Newport Times Publication November/December 2022 (L. Dennis)

**MINUTES:** October 19, 2022

October 19, 2022

On a motion by Dr. Schissel, seconded by Mr. Dennis; *the Commission approved the minutes of October 19, 2022 with the following amendments:*

1. *Page two, sentence two should read, "He may be..." and ..... "spring 2023."*
2. *Page two, under Draft Warrant Article and Operating Budget; Line two delete dollar about in parenthesis (\$14,000-\$16,000)...*

*The motion passed 5-0-0.*

**NEW BUSINESS:**

Comment on one report in the Conservation Land Stewardship Reports the Commission (monitoring)

Mrs. Dennis referred to the Conservation Land Stewardship Report on the Barton easement. She read aloud the header which stated "Barton (easement) Aka The Pinnacle". She asked if the Barton property was the Pinnacle or if the Pinnacle was on the Johnson property. She was informed that the Pinnacle was on the Barton property (as noted in the deed). Aka (also known as) does not mean that the Pinnacle is the whole Barton property. Mrs. Dennis stated she wanted to be sure that it is on the Barton and not the Johnson (property). Mr. Hubert referred to his map of the easements. The Pinnacle is on the Barton property.

Comment on the Bike Hike Play Newport in Newport Times Publication November/December 2022

Mrs. Dennis asked about the Newport Times Bike Hike Play Newport (November/December 2022) article 'Hidden Gems, The Pinnacle'. She inquired as to whether the Conservation Commission was consulted on it. Chairman Connell said the Commission was never consulted; the practice had to change. Mrs. Dennis agreed with him. Mrs. Dennis said it was a nice article until the end where it referred to an old foundation. If we are trying to educate people (through the Times publication) there is more information, instead of just stating there is an old foundation. A little history could have been put in the article. There was a brief discussion on how to accomplish this.

Draft Warrant Article and Operating Budget

Chairman Connell stated at the last meeting a Warrant Article for the 2023 Town Ballot was proposed for the purpose of acquiring money from the Townspeople for a NRI. He spoke to Finance Director Brown about it. He agreed it would be okay. Chairman Connell said the Commissioners had additional information on it. Ms. Donovan said she was researching Warrant Articles written by other Commissions. She asked if the Commission would draft one at the meeting. She was told no. Ms. Donovan requested that she draft one without the dollar amount and bring it to the December 14, 2022 Conservation Commission meeting for their review. Basic terminology was stated between Ms. Donovan

and Chairman Connell. Chairman Connell stated the passing of the Warrant Article would allow the Conservation Commission to hire a consultant. They discussed:

- The amount of information that is currently in the Master Plan of 2012.
- The need to talk to someone about NRIs and basic and more advanced information that is put into it.
- Whether Newport could take the NRI information (in the Master Plan) and update it
- Update wetlands identification
- The use of the 2012 Master Plan by applicants to the Zoning and Planning Boards when it is not up to date and they use the 10 year old information as a major part of their reasoning to approve their projects.
- Information is not in the Master Plan. Grants (state and federal) are requiring that information is in the Master Plan.
- The NRI as a component of the Master Plan
- The Commission will have to present at the Deliberative Session (the group was told that one consultant, Jeff Littleton, often speaks to towns at Deliberative Sessions, he could be asked)
- Deadline to have a warrant article: in January 2023. Chairman Connell asked that it be done by December 2022.
- Amount of warrant article; where money not used will go

Dr. Schissel asked that there be discussion at the meeting as to where any leftover funds will be sent.

Chairman Connell asked if the group believed \$12,000 (Warrant Article) was sufficient. There was discussion on an annual warrant article, a one-time warrant article, a future line item in the budget or in the Town Office Planning and Zoning (TOPAZ) budget. After further discussion of what different amounts might get Newport, It was requested that the Commission research and see what different amounts would buy and have a solid number for the next meeting. Dr. Schissel said that it would be useful to identify the key elements the commission wanted in their Natural Resource Inventory (NRI).

Mr. Dennis said the Commission needed to be able to talk to the people and explain what they wanted to do and to tell them that any money not spent would become part of the future Conservation Commission budget. He asked that the Commissioners decide on six priorities for the NRI and get the price; then pick the three most important priorities and get a (second) quote.

Dr. Schissel stated that he has learned if clients keep the consultants out of the field it is less expensive.

Chairman Connell asked that Commissioners review what is in the Master Plan (2012). The commissioners will cull to six priority items. He asked Ms. Donovan to get copies of some other NRIs. She will consult with area towns and ask what a basic NRI involved. Dr. Schissel stated that the Town of Fitzwilliam [www.fitzwilliam-nh.gov](http://www.fitzwilliam-nh.gov) just finished a new NRI. Their first NRI was written by the Conservation Commission (all retired professionals in the field). To recap; Ms. Donovan would write a draft Warrant Article, Finance Director Brown would review it and the Commissioners would: 1. Decide on an amount, 2. Approve the draft Warrant Article.

#### Annual Meeting of the NH Association of Conservation Commissions wrap up-Schissel and Schagen

Dr. Schissel gave a synopsis of the workshops he attended:

- I. Fundamentals of Conservation Commissions. It was basic coverage for Commissioners and what to bring to the organization. They reviewed some of the laws, RSAs, zoning. Dr. Schissel was asked if he felt the current makeup and goals of the Newport Conservation Commission was attuned to the presenter's information. He stated yes, he felt the Commission was headed in a good direction, especially with some of the initiatives that were taking place (NRI, finances, reports and monitoring). Mr. Dennis asked if Newport was currently lacking in any area. Dr. Schissel said that currently they are fine; in the future they might look at zoning; making sure the existing zoning regulations really fit the Master Plan, buffer zones. There was a discussion at the workshop about steep slope ordinances. Newport might want to look into establishing a steep slope ordinance.



- II. Know your Natural Resources. Discussed the flow of information between Planning Board, Zoning Board and the Conservation Commission. The Planning Board and Conservation Commission can't work in separate 'cells'.

NH Protected Wetlands is a resource Ms. Donovan uses if someone asks if there are wetlands on a property. She said that anyone who wants to build on a property that has wetlands has to go before the Conservation Commission. There was the discussion on lack of communication between the Boards and the Newport Conservation Commission. There was a discussion on permitting for construction versus the need of permitting for parking lots (DES Violation – 628 John Stark Highway) and communication of Boards with the Commission. Mrs. Dennis asked if wetlands included rivers and streams.

Ms. Donovan cited a current Planning Board case in which the applicants are refusing to go to Conservation Commission even though there are wetlands on their building lot.

Chairman Connell stated the Commission needed better communication. He stated applicants needed to attend the Conservation Commission if Ms. Donovan tells them they need to. There was a discussion on the permitting processes and attendance at Boards.

Mr. Schagen stated one of his workshops was concerning Permitting. He asked about permitting and the Conservation Commission's oversight.

### III. Budgeting

Many Conservation Commissions fund their budgets through the current use tax. A Warrant Article would need to go to the taxpayers concerning having all or a portion of the tax put in the Conservation Commission Fund.

Chairman Connell said that the Commission needed to have things in order. Town Manager Rieseberg will not be happy with the idea. He wants all the revenue he can get; they don't want to lose control (of the money). Mr. Dennis stated that once the Conservation Commission starts doing things that people can see (NRI).

Mr. Schagen gave a synopsis of the workshops he attended. A lot had been discussed in Dr. Schissel's Comments:

#### I. Natural Wetlands Inventory

Federal website has been updated. Presenter stated that a Commissioner needed to be a signatory for any wetland permitting. He said that there are pages on the DES website for people to view the status of an application. They spoke on information in permitting and the role of the commission on them. He purchased a book, "Wetlands, Best Practices".

- II. Public Notices of meetings, presentation on the NHACC website on how to review wetland permits applications.

Ms. Donovan reviewed what she has for a building process.

#### Land Conservation Invest Program Reports/Monitoring of Barton, Yeomans, Wells and Johnson properties

Ms. Charlotte Harding, Stewardship Specialist; of the Land Conservation District Stewardship Program was joined by Commissioners in Newport on October 25<sup>th</sup> to monitor conservation properties in Newport. The members in attendance reviewed the reports sent by Ms. Harding.

#### Barton Property

There were three recommendations by CLS. Conservation Commission will:

- Send Letters of Notice to all abutters on line where illegal activity is happening.
- Increase monitoring of boundaries
- Christina will draft letters
  - Craft the letter to include possibility of zoning infractions
  - Mrs. Dennis will look up the abutters

#### Johnson Property

- Regular monitoring is to be done

#### Yeomans

- Regular monitoring is to be done
- Report sent to the NH Protection of Forests

#### Wells

- Regular monitoring is to be done
- Report sent to the NH Protection of Forests

Discussed contacting owners of Wells Property.

Commission discussed how to proceed with sending monitoring report through the state.

#### DES Violation – 628 John Stark Highway

The paperwork and violation was discussed. The requirements for the DES were reviewed and discussed. Ms. Donovan was asked what the oversight of the Newport Conservation Commission was. It is in NH DES jurisdiction; the Newport Commission will follow how it is processed through the state.

#### CC Yearly Budget-General Fund (discussed during other agenda item)

Chairman Connell contacted Finance Director Brown about adding a line item for the Conservation Commission. It would be to pay for dues, conferences, signage plus any equipment needed. Chairman Connell said he would watch how it went through. Extra monies could go toward additional studies.

Mr. Schagen addressed Ms. Donovan and stated he wanted to follow up and check on action items stated in the minutes. He asked about the following:

- 1) Land Conservation District Stewardship Program The agenda item will continue to be on the agenda until it is discussed at a future meeting. (Ms. Donovan agreed)
- 2) Dr. Schissel stated he would be willing to write something for the next Newport Times. He will use information from the monitoring and pictures taken by Ms. Charlotte Harding.
- 3) A copy of the Forest Management Plan has been forwarded to Sam Nelson (He has received the Forest Management Plan). He will get a copy of the Barton conservation easement deed. There was a discussion on what could and could not be done on the Barton easement land. That the
- 4) Mission statement and Rules of Procedure are approved and posted on Conservation webpage. The mission statement will be put on the “cover” page.
- 5) Moose Plate grant excellent opportunity for NRI. A specific grant needed to be requested. Chairman Connell warned that Town Manager Rieseberg will not be in favor of them applying.

On a motion by Mr. Dennis, seconded by Mr. Schagen; *the Commissioners voted unanimously to adjourn at 8:21 p.m.*

Respectfully submitted,



Maura Stetson, Scribe

Approved: December 14, 2022

The next Conservation Commission Meeting will be held on December 14, 2022 in the BOS room.

To recap:

- 1 Ms. Donovan will write the draft letter (Barton)
- 2 Ms. Donovan will write draft Warrant Article have Paul review it for wording (legalize).
- 3 Ms. Donovan and Commissioners will all look up Fitzwilliam and surrounding towns for basic NRI information
- 4 Request “NO DUMPING” signs at the parking area at Summer Street should. Ms. Donovan will call Highway Department.