

**Town of Newport, NH**  
**Newport Conservation Commission**  
**Minutes of April 17, 2019**  
**6:30 PM**  
**Board of Selectmen's Room/Municipal Building**  
**15 Sunapee Street/Newport, NH**

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**MEMBERS PRESENT:** Stanley Hannum, Chairman; Linda Dennis, Ken Dennis, Clifford Richer, Alternate

**MEMBERS ABSENT:** Kristen Boffo, Alternate;

**STAFF PRESENT:** Liz Emerson, Zoning Administrator

**VIDEOGRAPHER:** Louis Cassorla

**CALL TO ORDER:** Chairman Hannum called the Conservation Commission meeting to order at 6:30 p.m. followed by the Pledge of Allegiance and a roll call of those present.

**AGENDA REVIEW:** accepted as presented

**MINUTES:** March 20, 2019

Minutes of March 20, 2019

On a motion by Mr. Dennis, seconded by Mrs. Dennis; *the Commission approved the minutes of the March 20, 2019 meeting as presented. The motion passed 4-0-0.*

**ADMINISTRATION:** none

**NEW BUSINESS:**

Library Arts Center (LAC)-Kate Luppold: Summer Community Art Installation  
Chairperson Hannum acknowledged Mrs. Kate Luppold, Executive Director of the LAC.

Mrs. Kate Luppold addressed the Conservation Commission and stated that the LAC has been involved with a national movement of creative placemaking. She gave a succinct description of the program which she described as focusing on creativity, community and economy. Mrs. Luppold stated that the LAC had done similar projects in the summer of 2018, the "fishstick" project that was on the library lawn as well as projects in conjunction with the Farmers Market.

The LAC was planning an expanded project schedule the summer of 2019. Two of the projects are themed "Birds of a Feather" and "Tree Faces". She gave a synopsis of both art projects, stating the LAC desire was to hang the completed birds from lower branches of trees on the Common for the summer months. After the creation of simple clay faces with tack-backs, their plan was to affix the faces to trees on the Common and in the Main Street area the last week of August through the fall.

Mrs. Luppold stated the Selectboard was in full approval of the projects, but had asked the LAC to go to the Heritage and Conservation Commissions for approval. Both projects needed the permission of the Commissions.

She informed the Conservation Commissioners of the “Birds of a Feather Project”.

She asked if the Commissioners had questions or comments.

Chairman Hannum told Mrs. Luppold that he was concerned about Town safety and liability if the birds were torn off by the wind and caused an accident.

Mrs. Luppold told Chairman Hannum that the Selectboard was fine with the projects.

Mr. Dennis addressed Mrs. Luppold and stated that he and the Buildings and Grounds Department had been approached in the summer of 2018 concerning the same thing, only with fish. He had said he had not been in favor of the project. Mr. Dennis said as a Commissioner of the Conservation Commission he was not in favor of the 2019 project as proposed. He had made a motion to deny the use of the trees at the last meeting.

Mr. Dennis stated that the trees on the Common are in tough shape for anything. He explained the processes he went through while an employee of the Town to keep them out of harm’s way of people. The LAC Project sounded nice, but the reality of what will happen to hanging items or affixing things to the trees is different.

He didn’t have any problem with the LAC doing projects and displaying the birds proposed in the same way as in 2018 on the Common. The LAC could pick areas to beautify around the bandstand or the information booth. The LAC could pick larger areas between the trees and place the birds on poles in the ground.

Mr. Dennis listed the various trees on the Common and the shape they were in. Mrs. Luppold gave him a rendition of what they were envisioning and the limitations they could impose for the project. She brainstormed ways to assist the Conservation Commission in acquiring new tree stock.

Mrs. Dennis addressed Mrs. Luppold and stated she liked the idea of a partnership but she did not want anything hung or attached to the trees. Continuing, she told Mrs. Luppold that she thought “out of the box”. Maybe she could find another place to exhibit the birds and faces.

Mrs. Luppold agreed and stated she had had interest from other areas in Town. The LAC had thought it was a nice thing to do on the Common.

Mr. Dennis made a motion ***that the trees on the Common are off limits to any kind of venture of artwork or posters or anything attached to the trees which are the venue of the Conservation Commission.***

Mr. Dennis addressed Mrs. Luppold and stated he did not want her to go off the Common to display her art project. He reiterated that in-between the tree lines will be nice. Creative pole systems could be erected that would beautify the Common. It would keep it in Town, visible for everyone to see. Brainstorming, he suggested that the LAC could bring it down through the Main Street. Mrs. Luppold agreed.

Mrs. Luppold stated that she had already had the artist's meetings and that if the Conservation Commission was not open to their use of the trees, they would have to find another venue to display the bird and tree faces.

Mrs. Dennis said she felt bad that the LAC would not reconsider, but gave additional reasons why the Commission could not allow the LAC to hang items from tree branches. It would set a precedent; the Commission needed to safeguard the trees.

Chairman Hannum stated that if there was any way that the Conservation Commission could help the LAC with temporary structures to hang things off of she should bring the proposal back to the Commission. The Commission is open to any project in which items are not hung or attached to the trees.

There was further discussion on the project, past projects on the Common in which trees have been damaged and the need to replace trees on the Common as they die off.

Mr. Dennis restated his motion *that the trees on the Common are off limits to any kind of venture of artwork or posters or anything attached to the trees which are the venue of the Conservation Commission.*

There was a discussion on the jurisdiction of the Conservation Commission and trees.

Mr. Richer asked if it was a unique idea to hang the birds in the trees (on the Common). Mrs. Luppold explained it was an idea of a local artist who is working with the Community Projects.

Mr. Richer stated that they should not be hung at eye level; they should be in the tree. Mr. Richer stated he was in favor of the arts. His request would be to lay them on the branches, or to place them higher in the trees where people could not reach them. Any identification plaque would be down at the base of the tree.

The Chair was reminded that there was a motion on the floor. Mrs. Dennis seconded the motion.

Mr. Richer stated the negative thing of hanging birds from the tree on the Little Common was distraction of traffic. Mrs. Luppold said the LAC was not interested in the Little Common because of that.

Mr. Richer asked if she had contacted some private people. Mrs. Luppold said if the Conservation Commission denied their request, they would be contacting private people.

Chairman Hannum asked if there was more to discuss, or if the Commissioners were ready to vote on the motion.

Mr. Dennis reiterated that he was not trying to negate the artists view; he didn't want the LAC project to leave the Common. Mr. Dennis stated the LAC came to him (as a Town employee) in 2018. There was cooperation (with the Buildings and Grounds). The LAC had a nice solution in 2018 to have their fish project displayed at the library. They could have one again in 2019.

Mrs. Luppold said she would bring the Conservation Commission's ideas up to the artist and see what her decision is.

There was further discussion on the LAC bird project by the Commission. The face project proposal was then discussed.

Mrs. Luppold stated the face pieces would have a thumb tack attached to the back to put into the trees. Mr. Richer stated the thumb tack should not reach to the cambium layer of the tree.

Mr. Dennis gave the scenario of what will potentially happen (the LAC will try to use something that will not go deep, then the face parts will fall off and they would need to be replaced over and over). There was a discussion among the Commissioners on a different way to put up the faces on the trees without touching the bark.

Mr. Richer reiterated other Commissioners remarks in that trees take a lot of abuse and were fragile. He asked Mrs. Luppold if she could affix the faces to a panel and get the same affect. Mr. Richer and Mrs. Luppold discussed the possibility.

Mr. Richer listed the types of trees that would be appropriate to use to pin faces and not kill the tree. He explained that the Common did not have any trees with thick bark (the Common had thin bark trees).

Mrs. Dennis reminded Mr. Richer that the motion was to not affix anything to the trees. Mr. Richer asked for a clarification on the motion.

Mr. Dennis stated that his motion was that nothing be hung, affixed, nailed, screwed in in any way. He was not getting into specifics of what will be harmful or not, who would police the project. It would set a precedent for another group. As a Commissioner he did not see using the trees as part of the beauty of the Common.

Mr. Dennis then restated his motion:

Mr. Dennis made a motion *that the trees on the Common are off limits to any kind of venture of artwork or posters or anything attached to the trees which are the venue (jurisdiction) of the Conservation Commission.* Mrs. Dennis seconded the motion.

Chairman Hannum called for a vote on the motion. *The motion passed 3-0-1(Richer abstained).*

Chairman Hannum stated the motion passed to deny the project using the trees. He asked Mrs. Luppold if there was any other way they could use the Common. Mrs. Luppold discussed various ways to show the birds and stated she would discuss them with the artist. Mrs. Luppold asked for a clarification (as was stated in the motion) of the trees that the Conservation Commission had jurisdiction over.

Mr. Dennis stated that he would also like that clarified. Ms. Emerson stated she would do some digging and find out for both parties.

Mr. Dennis addressed Mrs. Luppold and told her not to go away upset. He asked her to fill the Common with birds, on sticks. He stated the Common needed beautification and art and new thinking. Chairman Hannum stated that the LAC is doing amazing work; he didn't want her to think the Commissioners did not like the artwork. Mrs. Luppold thanked them both.

She thanked the Commission for their time and consideration of the project. The birds will not be on the Common, but will be in other places in Town.

#### **CONTINUED BUSINESS:**

Mrs. Dennis stated that the Newport Conservation Commission needed to complete the project of marking the easement boundaries with conservation tags affixed to grade stakes. There was a short discussion on the project.

There being no further business, on a motion by Chairman Hannum, seconded by Mr. Dennis; *the Conservation Commission voted unanimously to adjourn at 7:05 p.m.*

Respectfully submitted,

Maura Stetson

Scribe

Approved: July 24, 2019