



## Lyndeborough Conservation Commission

9 Citizens' Hall Road  
Lyndeborough NH 03082  
603-654-5955

DATE:	Thursday May 12, 2022
TIME:	6:30 PM
LOCATION:	Citizens Hall, Lyndeborough NH

Meeting began at 6:33 PM

### Attendance

REGULAR		ALTERNATES	
John Pomer (Chair)	√	Mark Chamberlain (Selectman)	A
Gregory Kreider (Vice Chair)	√	Margaret Hagen (alternate)	E
Kurt Berna	√	Sharon Akers (alternate)	√
Theresa Berna	√	Michael Decubellis	√
Bob Howe (Selectman)	E	Ray Humphreys (planning bd alt.)	Guest

A = absence, no notification

E = excused absence, notified before meeting

√ = present

### Minutes

1. Minutes from April 14, 2022
  - a. Greg motioned to accept the minutes as corrected
  - b. Seconded
  - c. Vote to accept was unanimous

### Budget

1. Balance as of 04/30/2022, \$21,382.54

### Mail

### Old and/or Ongoing Business (Projects)

1. Town Cleanup - Sharon will reach out to the road cleanup organizer from Wilton for support on planning our cleanup day for 2023. They were able to cover every mile of the Town roads and had a good turnout.
2. Wetlands Ordinance
  - a. Working session on the Wetlands ordinance language with the Planning Board Wetlands Ordinance sub-committee.
    - i. Reviewed language from Proposed Amendments to Zoning Ordinance that was created but not presented to the 2022 Town Meeting
    - ii. Subcommittee members (Ray Humphreys, Mike Decubellis) and representative from NRPC (Jay Minkarah) present at meeting.
  - b. Current concerns or challenges with the Wetlands language
    - i. Language does not align with DES language

- ii. Discuss whether wetlands should be a separate warrant
  - iii. Language does not address that the state has a certified soil scientist
- c. How to handle disputes?
  - i. The public has opportunity to go to ZBA planning board to present their case or variance.
  - ii. Theresa agrees that the delineation should be done by a soil scientist when there is a dispute. If they want to challenge the map then the burden is on the owner to deviate.
  - iii. Text
- d. Research
  - i. Theresa looked at several other towns (Litchfield, Boscawen, Amherst) and they referred to the State definition, it is delineated on hydronic metrics. Bow has an official zoning map on their website with caveat that it can change.
  - ii. Mont Vernon updated and accepted their new ordinance language, Mason buffer defeated (25 existing, 50 for new) The learning is the earlier we start the discussion with residents the better. 50' is common.
  - iii. Mike other option, subdivision regulation with built in setback. Does not impact existing owners but when they subdivide the setback takes place. That would affect only new lots
- e. Challenges/Risks
  - i. Village is the biggest challenge, address village differently as option, Stony Brook in village
  - ii. Mike noted that the Wetlands layer from NRPC does not designate wetlands in Lyndeborough.
  - iii. Ray stated that references need to be available for anyone in town, we can use the state definition, but we should not require a soil scientist to prove you are right, we need a tool for code enforcement (like potentially a layer from NH Granit)? It is unfair to put this responsibility on owner to get soil scientist especially for something like an addition. Mark noted that that language needs to be included. Sharon noted that other towns require owner to prove NH Granit wrong for variations from ordinance. Kurt asked how does the homeowner do this? Will the building inspector check and challenge? Mike noted that we should print this out for the public and Leo as reference. Mike Where onsite delineation does not exist use Granit. Mark subdivision required to provide GIS layers that can be kept with town. Mike asked does Granit wetland layer aligned with state definition? Jay stated I believe they are but we should check. State uses fed definitions: Species, plant/tree, soils, cultural resources.
- f. Actions: Planning Board Subcommittee will amend the language then send to the con com for review, final edits will be forwarded to Jay from NRPC for review.
- g. Public education: Jay recommends con com to hold a meeting to discuss the ordinance with the public, provide a supplement document that simplifies the language and addresses primary concerns. Should also have a laptop available so the public can access/experience NH Granit.

## **New Business**

- a. No New business

Next Meeting 06/09/22 at 6:30 PM Citizens hall

**Adjourned:** 8:27 PM

- a. Theresa motioned to adjourn.
- b. Sharon seconded.
- c. Vote to adjourn was unanimous.