



TOWN OF
BROOKLINE, NEW HAMPSHIRE
Conservation Commission

P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360

Telephone (603) 673-8855, ext. 216
Fax (603) 673-8136

<http://www.brookline.nh.us>

Minutes
Tuesday, May 12, 2020
Conservation Commission
Meeting Start at or about 7:00 PM

Present: Francis (Buddy) Dougherty, Chairman
Jay Chrystal, Vice Chairman
Jordan Bailey, Member
Tom Rogers, Member
Jerry Jaworski, Alternate
Ron Olsen, Selectboard Representative
Drew Kellner, Alternate Selectboard Representative

Absent: Eric DiVirgilio, Alternate

Also, in attendance: Sean McNair and Tad Putney.

Buddy called the meeting to order at 7pm. **Tad** noted we are meeting electronically and remotely under the governor's Executive Order 2020-04 and Executive Orders #12 and #23. In following with these orders, **Tad** asked each commission member, beginning with **Buddy**, to state where they are, why they are there and who, if anyone, is in the room with them. All members responded.

Plan #NRSP 2020-B: J-53, Goguen Construction, 34 Route 13, Retail building

In attendance for this meeting is Nick Golon TF Moran.

Nick said this project is located at 34 Route 13 it is zoned Commercial/ Industrial and consists of 2.6 acres. There is an access easement to the abutting property to the rear allowing them driveway access to their lot. There is an existing building on this property that will be removed. They are proposing two buildings one will be 3,400 sf office building on a slab and the second building will be a 12,000 sf retail building with self-storage units below. **Nick** reviewed the plan with Board where the parking areas will be and the trees that will be remain in the back, the grading and the drainage that will be put in place. They have submitted the Alteration of Terrain permit to the State. The impervious surface will be about 53% of this site so they will need a conditional use permit as well. **Jordan** asked about the wetland area that abuts this property she would like to know more about the drainage and run off.

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Nick reviewed the parking areas for the buildings on the plan. There will be tree clearing along the northern side but the trees to the back will remain. As for grading and drainage they will manage the storm water run-off using 4 elements. The runoff is very low as this is a sandy lot. They have a combination of open and closed drainage units. There is a filtration basin along the low lying area on the plan. There will be an outlet structure that will discharge to the back of the site where there will be a riprap level spreader. There is a fair amount of grade change to the back of the property, so they do need the pipe system in order to convey storm water from the front to the back. that was the filtration basin. There are 2 subsurface infiltration systems in front of the office and behind the retail building these are also called storm techs. The fourth element will catch it when it sheets off the driveway and into a retention area. It has a four bay system prior to entering a main cell. **Nick** shared his screen with the Board, they reviewed the drainage plan. The Board had no issues for the Planning Board.

Plan # NRSP 2020-A: J-19, Superior Steel, 46 Route 13, 30x79 addition to existing building.

Kristen said they are looking to build an 30x79 foot addition to the existing shop for storage purposes. The Board reviewed the site plan for the Superior Steel request. **Jerry** said he noticed the back of all of these lots on Loren Lane are under a conservation easement, but this lot is not. **Buddy** said that dotted line to the top of the page is the setback line for the property. **Buddy** said as long as they stay away from the northwesterly side of this lot it looks like they wouldn't have any impact on wetlands that he can tell. **Jordan** said this plan is so busy it is hard to determine what everything is. The Board had a couple of concerns for the Planning Board the first is for them to consider changing the drywells proposed for the drainage into something that would percolate instead of direct injection into the groundwater table, for example a water garden or detention pond. The second was regarding existing vs. Proposed gravel area. Will the new gravel area extend into wetlands buffer and if so, can it be minimized.

Adopt the Code of Ethics

Jay made a motion that the Board adopts the codes of ethic as recommended by the Selectboard. Jordan seconded. Roll call vote Buddy, Jay, Jordan, Tom, Ron, Drew, and Jerry all voted yes. Code of Ethics attached.

Trail Cameras (Buddy)

Buddy said he and Tom spoke about expanding the use of trail cameras. This means they will need more. Tom said they had one stolen and have had several SD cards stolen also. **Tom** said there has been an increase in motorized traffic on the trails full sized vehicles and ATV usages. He said he would like to purchase 3 or 4 more trail cameras and more SD cards too. **Jerry moved to allow Tom to purchase game cameras and SD cards not to exceed \$425 to be paid from the Trail Maintenance BCC budget. Jay seconded. Roll call vote Buddy, Jay, Jordan, Tom, Ron, Drew, and Jerry all voted yes.**

Trail Grant (Buddy)

Buddy said they are putting in for an RTP 2021 grant for the Hobart Fessenden Woods and the Cider Mill Trail. This is due in June 2020. They will need to get a heritage review done for this area. **Drew** said they have waived the requirements of the Workshop that you normally have to take before applying for this grant due to the Covid-19 and the Governor's Emergency Orders.

Trail Counter Device NRPC (Buddy)

Buddy said he spoke with Matt Waitkins with NRPC and he said they now have trail counters that they can install so you know how much foot traffic is out on the trails. The Board agreed this was a good idea with the amount of people that are out on the trails at this time. The Board agreed to send a letter requesting that they put trail counters up.

Story Book Trail (Tom)

Tom said he was emailed by a Brookline Resident Kathy Weston and she has asked if they could do a story book trail where they would laminate pages from a story book and people would stop along the trail and read the pages. Kathy has said there would be no cost to the BCC. They will change books and remove the pages as needed. **Tom** said he thought Mary's Trail was a great place for this. The Board agreed.

Trail Update (Tom)

Jerry said they have to name the new trail that goes from Old Milford Road to the Stone Ledge Trail. After a brief discussion the Board agreed to call it the Hall Trail.

Buddy said there is a parking issue at Bartell trail head. They need to post signs and let people know they can park across the street at the Hood road overflow parking area. The Overlook Trail parking area some has put up a Basketball hoop which is making parking difficult. Someone will need to see if they can get that basketball net moved.

Gate Purchase (Tom)

Tom suggested they buy more gates the cost is about \$140 each. They could use one at Cider Mill Trail from Sargent Road, one at Dupaw Gould Scenic Trail, Ball Hill Trail, and Hollis Line at the Melendy Trail to keep ATV traffic out. **Buddy** said he will talk to Amos White and see if he can do something.

Kiosk Update (Tom)

Jerry said they discuss the kiosk at the last meeting.

Invoices to be paid

Jay made a motion to pay the following bills:

Reimburse Jerry Jaworski \$46.74 and \$175.22 for trail signs from Trail Maintenance

Pay Meridian Land Services \$6482.740 for Conservation Easement for Hobart Fessenden Woods are from The BCC General fund under Con Com Easement,

Pay Meridian Land Services \$3,525.05 for the Old Milford Road Lot line Adjustment with Paradise Homes pay from BCC General Fund under land acquisition,

Pay Nashua River Watershed Association \$100 for the yearly membership from the BCC budget under memberships. **Tom** seconded. Roll call vote **Buddy, Jay, Jordan, Tom, Ron, Drew, and Jerry** all voted yes.

Alternate membership

Drew made a motion to recommend to the Selectboard that Sean McNair be appointed as an alternate for a three year term expiring in March of 2023. **Tom** seconded. Roll call vote **Buddy, Jay, Jordan, Tom, Ron, Drew, and Jerry** all voted yes.

Adjourn

Jay made a motion to adjourn at 8:48pm. Ron seconded. Roll call vote Buddy, Jay, Jordan, Tom, Ron, Drew, and Jerry all voted yes.

Francis (Buddy) Dougherty, Chairman _____

Jay Chrystal, Vice Chairman _____

Jordan Bailey, Member _____

Tom Rogers, Member _____

Jerry Jaworski, Alternate _____

Ron Olsen, Selectboard Representative _____

Drew Kellner, Alternate Selectboard Representative _____

Next Conservation Commission meeting will be held on June 9, 2020

Motion to approve at the
6/9/20 zoom meeting.



**TOWN OF
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SELECTBOARD**

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Recommended Code of Ethics

Non Binding Resolution passed at the March 2005 Town Meeting:

1. Purpose

The proper operation of democratic government requires that public servants be independent, impartial, and responsible to the people; that government decisions and policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government members to perform their duties without conflicts between their private interests and those of the citizens they serve.

The purpose of this code is to establish guidelines for the ethical standards of conduct for public servants. As such, the Town of Brookline

- Expects our public servants to act in the best interest of the town.
- Expects public servants to disclose, whenever possible, any personal, financial or other interests in matters affecting the town that come before them for action.
- Expects public servants to remove themselves from decision making if they have a conflict of interest.
- Expects public servants to be independent, impartial, and responsible to their fellow townspeople in their actions.
- Expects that the public servant's decisions and policies be made through the proper channels of government.

2. Definitions

Conflict of Interest – A situation or circumstance where a public servant's personal, pecuniary or financial interests have the potential to interfere with the proper exercise of a public duty.

Pecuniary Interest – Any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain; it does not include economic advantage applicable to the public at large, such as tax reduction or increased prosperity of the town.

Personal Interest – Interest in a matter, aside from official interest as a function of a public servant's position, which is more direct than that of the public at large and would influence the action of the public official.

Public Servant – All officers and employees of the Town, whether elected, appointed, paid, volunteer, or anyone acting in a position other than as a member of the general public. A person is considered a public servant upon their election, appointment, or designation as such, although they may not yet officially occupy that position.

Recuse – To remove or excuse oneself from participating in a specific action or discussion due to a conflict of interest. Recusal means to remove oneself completely from all further participation as a public servant in the matter in question. Public servants who have been recused shall immediately leave the room or shall seat themselves with the other members of the public at large who are present. When recused, public servants shall not participate in further discussions unless they clearly state for the record that they are doing so only as a general member of the public. A recused public official is effectively a member of the general public and shall not deliberate nor vote on the matter in question.

3. Code of Ethics

Public servants shall avoid conflicts of interest.

Public servants shall recuse themselves and shall not take part in the decision-making process of any matter before the town in which they have a personal or pecuniary interest. Members of the Planning Board and Zoning Board of Adjustment are further bound by the provisions of RSA 673:14.

Public servants shall not directly or indirectly solicit gifts or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, premises or in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.

Public servants must not disclose or improperly use confidential information obtained in the course of their duties.

No public servant shall use town letterhead or stationary for any purpose other than official town business. Members of boards, committees, and commissions may only use town letterhead for purposes approved by their respective board, committee or commission.

No member of a board, committee, or commission shall speak on behalf of their respective board, committee or commission unless authorized to do so by their respective board, committee, or commission. This is not to suggest that individual members cannot speak publicly, but rather to emphasize that they should clearly state they are speaking only on their individual behalf and not represent himself or herself as speaking for the board, committee, or commission.

Adopted by Board of Selectmen – June 13, 2011

Adopted by Board of Selectmen – April 2, 2012

Adopted by Selectboard – April 1, 2013

Adopted by Selectboard – March 17, 2014

Adopted by Selectboard – March 30, 2015

Adopted by Selectboard - March 28, 2016

Adopted by Selectboard – April 24, 2017

Adopted by Selectboard – April 9, 2018

Adopted by Selectboard – May 6, 2019

Adopted by Selectboard – April 6, 2020

Adopted by The BCC on May 12, 2020