

**Peterborough Conservation Commission Minutes  
October 22, 2018, Peterborough Town House, 7 p.m.**

Present: Jo Anne Carr, Swift Corwin, Bryn Dumas, John Kerrick, Matt Lundsted, John Patterson, Liz Thomas, Francie Von Mertens; Barbara Miller, Select Board liaison

Minutes for September 20 regular meeting and October 15 Stone Barn site visit were approved, along with payment to SBC Crop Services for work on Cheney Field.

**Natural Resource Inventory**

Rick Van de Poll, Ecosystem Management Consultants, presented options for a Natural Resource Inventory (NRI)—townwide or for specific properties managed by the ConCom. He said an NRI is "an ecological assessment that identifies appropriate management actions that could be taken."

The ConCom had identified four town conservation properties with fields as a logical starting place, stemming from the Cheney Field/cattle grazing proposal process that drew attention to land stewardship: Walcott, Cheney Field/Wheeler Trail land, Fremont Field, and Burke Road field. All but Burke Road have forest acreage in addition to field.

Rick Van de Poll's comment that the Master Plan informs town conservation goals, including protecting agricultural resources, sparked conversation about updating the Open Space chapter of the Master Plan and perhaps hiring Rick to be part of that process rather than for an NRI.

Von Mertens repeated her recommendation that one property, logically the Cheney Field + Wheeler Trail property, be chosen as a first step prototype to ensure that benefits merit the costs. It was agreed that the goal of four properties could be scaled back if costs become an issue. NRIs will identify management actions that will have costs.

Corwin received assurances that timber resources are included in an ecological assessment; and Dumas the same for agricultural resources.

Carr proposed the following motion (Kerrick second):

**"Move to go forth with an ecological assessment on the four properties as discussed, pending cost, with the goal of stewardship plan development.**

The motion passed.

Dumas will pass along a request to Rick Van de Poll that he work up a proposal and cost estimate for the four properties.

Von Mertens will inquire about plans to update the Master Plan Open Space chapter and what that process will look like.

**Village at Stone Barn Conditional Use Permit**

Members who attended the October 15 site visit described the project, including expanding town sewer to the property that qualifies it for Traditional Overlay Zone II density.

Concern was stated over impacts to the Wetland Protection Overlay Zone (WPOZ) and whether alternatives to avoid or minimize impacts had been fully considered, as required by town code.

At the site visit, Chad Brannon, Fieldstone Land Consultants, explained that buildings and stormwater treatment had been located in areas that would leave as much space available as possible for agricultural uses by what is termed an "agrihood" development. Therefore, stormwater treatment was largely located in the WPOZ.

Impacts include a road or accessway that crosses the WPOZ to reach two carports. The WPOZ ordinance allows crossings "if essential to the productive use of land not

designated as wetland." In past proposals the ConCom has commented on, that has typically meant crossing the WPOZ on a vacant parcel to reach buildable upland—not to achieve increased density on a parcel.

Members agreed that allowing crossings and significant alterations to the WPOZ to access ancillary buildings (carport) or to maximize residential density allowed under recent zoning changes could set a problematic precedent going forward for applications under TNOZ II or future zoning that allows greater density on a property.

A similar concern relating to increased density allowances was stated over locating extensive stormwater treatment in the WPOZ.

In the Stone Barn proposal, the entire 50-foot wetland buffer in "Wetland Buffer Impact Area A" would be dedicated to the access road and stormwater treatment. The steeply sloped buffer would be cleared of mature forest, stumped, and graded with fill to achieve 2:1 slope in some areas from the existing 1:1 slope. The forested buffer would be further transformed into stormwater treatment swales, berms, and detention basins. Grading to achieve final slope requires incursion into and filling 1800 s.f. of forested wetland at the base of slope.

Members agreed this contravenes town code prohibitions against recontouring, stumping, or otherwise altering a naturally vegetated wetland buffer in all other situations. As for restoring what might approximate a naturally vegetated buffer post construction, at the site visit plantings with native shrubs were mentioned but stormwater treatment swales and detention areas have limited revegetation possibilities as well as strict vegetation management requirements.

Members agreed the buffer impacts in Buffer Impact A could not be considered "temporary" as stated on the Fieldstone plans.

As mitigation for the WPOZ impacts, the Fieldstone cover letter for its functions and values assessment of the buffer and wetland cited removal of extensive Japanese knotweed and other invasive plants in the Buffer Impact Areas B-F and replacing them with native vegetation.

The WPOZ wasn't flagged for the joint Planning Board Conservation Commission October 15 site visit, and therefore the extent of knotweed in the 50' buffer couldn't be determined, but it appears to be extensive in the non-forested Impact Areas B through F. Members focused concerns primarily on the steeply sloped forested area of Wetland Buffer Impact Area A, currently free of human impact including invasive upland plants when compared with the smaller Buffer Impact Areas B-F.

As concentrating development impacts to the front 5.5 acres, leaving the back 26.7 acres intact, was also cited in the Fieldstone letter as potential impact mitigation, members questioned whether restrictions on future residential expansion have been mentioned. Mitigation for impacts implies permanence, and members agreed that limits to further residential development in the back acreage would need to be considered by the Planning Board if relating to mitigation.

Members agreed that before mitigation is considered, code and general mitigation protocol require that impact avoidance needs to be fully explored, in addition to impact minimization.

Matt Lundsted agreed to draft a letter of comment to the Planning Board stating the ConCom's assessment of the proposal as it relates to the WPOZ.

### **Easement support funding, Old Town Farm Road**

In keeping with town policy to support landowners donating conservation easements on their land, members discussed funding support for the Morison easement on 76 acres on

Old Town Farm Road, the easement to be held by the Forest Society. The parcel has significant frontage along a town scenic road and links to other conserved land.

Von Mertens motioned (Kerrick second):

**Move to support the Morison conservation easement with \$8,000 from the Land Acquisition Capital Reserve Fund, thereby assisting landowner's donation to the \$14,000 stewardship fund associated with the easement.**

The motion passed. Von Mertens will arrange next steps to present the funding recommendation to the Select Board, co-agent to expend capital reserve funds.

/fvm