

Atkinson Conservation Commission Minutes
Wednesday, June 24, 2020, 7:00 PM
Via Zoom (no physical venue)

Approved July 22, 2020

Members Present:

Bill Steele, Vice Chair
Denise Legault
Jeff Nenart
Pete McVay
Scott Kukshel
John Fournier (Alternate)
Suzie Newman (Alternate)

Others Present:

Bob Worden, Selectmen Liaison
Michael Damphousse

1. Call to Order, Emergency Declaration, and Attendance

Vice Chair Bill Steele called the meeting to order via Zoom conference call at 7:00PM on Wednesday June 24th, 2020. Vice Chair Steele began by stating that Chair Wainwright was unavailable to attend this evening and as such, he will be leading the meeting. Vice Chair Steele began the meeting by reading the state-of-emergency declaration that can be found in Attachment A. Vice Chair Steele took attendance by roll-call and introduced guests Michael Damphousse and Selectmen Liaison Bob Worden. He also stated that since two of the regular members were absent, Alternate Fournier and Alternate Newman would be acting and voting in their places.

Selectman Bob Worden gave a brief introduction of himself and stated how highly he values the Conservation Commission and looks forward to working together to make sure the Commission's needs are met around Town.

2. Review and approval of minutes: May 27, 2020, public and non-public

Vice Chair Steele requested a motion to approve the minutes of the May 27, 2020 Public meeting of the Atkinson Conservation Commission, as written.

Member Legault made a motion to approve the minutes of the May 27, 2020 public session of the Atkinson Conservation Commission. Member Nenart seconded the motion. Vote: 7/0/0. (The details of this roll-call vote can be found in Attachment B).

Vice Chair Steele requested a motion to approve the minutes of the May 27, 2020 Non-public meeting of the Atkinson Conservation Commission, as written.

Member Nenart made a motion to approve the minutes of the May 27, 2020 Non-public session of the Atkinson Conservation Commission. Member McVay

seconded the motion. Member Kukshel abstained. Vote: 6/0/1. (The details of this roll-call vote can be found in Attachment B).

3. Treasurer's Report

Vice Chair Steele asked the Commission if anyone had any expenses they needed to have included in the Commission's spending plan.

Alternate Newman brought up the "Pollinator Pathways" project, and stated that she'd had some conversations with Chair Wainwright in regard to purchasing milkweed seeds to be planted but she has not yet seen any concrete pricing.

Vice Chair Steele stated that Member Krause could not attend the meeting, but has submitted an overview of expenses for trail map-related items (trailblazes, kiosks, map-holders) in the amount of just under \$1,700. A copy of these projected expenses can be found in Attachment C.

4. Page Farm Trail Parking

Vice Chair Steele reported that the Alteration of Terrain permit for the Page Farm additional 7 units now appears likely to be granted to Midlands Investments despite the Commission's objections that have been raised numerous times with DES and NH F&G. A copy of Chair Wainwright's most recent letter, which summarizes our objections based on DES's and F&G's own data, can be found in Attachment D.

Our current understanding is that the State will grant the permit despite their own environmental assessment of the area, in exchange for a \$30k "donation" to the Aquatic Resource Mitigation fund, which is insultingly low and would not allow us to mitigate anything close to the size and value of the habitat that will be lost to this project.

Vice Chair Steele continued that, as part of our research into the environmental importance of that entire area, we have come to realize that the proposed trail parking on Conservation land adjacent to the access road would further degrade the quality of the wildlife habitat in that area, and asked for a motion to rescind permission to allow Midlands Investments to construct trail parking in that place.

Member Legault made a motion to rescind permission from Midlands Investments to construct trail parking on Town conservation land adjacent to the access road for the seven-unit addition to their Page Farm development. Member McVay seconded the motion. Vote: 7/0/0 (The details of this roll-call vote can be found in Attachment B).

A copy of this letter to Midlands Investments can be found in Attachment E.

5. Trail Status Report: Review of recent activities, and next steps – Dennis

Since Member Krause is not present, Member Krause’s trails report can be found in Attachment F

Vice Chair Steele stated that several people have gotten lost recently on the trails that straddle the Atkinson/Hampstead/Plaistow town boundaries, and stated that he is working with Chair Wainwright to improve the signage and to ensure that our Emergency Services personnel are aware and knowledgeable about all the trail systems in Town.

6. ATV Use on Sawyer Conservation Land – John Fournier

Alternate Fournier stated that he’s been encountering snowmobiles, ATV’s and other powered vehicles on the Sawyer land for over 20 years. Alternate Fournier continued that there is a group of Town abutters, young men whose group grew in size and stature over the last few years. Member Fournier stated that this past March, these young men organized an ATV meet-up and took turns riding each other’s ATVs up and down the trails almost colliding with several hikers. As a result of this event, Police Chief Crowley and another Atkinson Police Officer completed a walk of the trails with Commission members and Selectman Worden to get a better understanding of what’s going on. The Atkinson Police Department asked a few good neighbor residents who live near the trails to call them whenever they saw activity. Alternate Fournier stated that as a result of this increased monitoring, the activity essentially stopped by the middle of May. Alternate Fournier suggested, finally, that perhaps the Atkinson Police Department should work with the Haverhill Police Department to stop the riders crossing State lines onto our trails.

7. Sawyer Invasive Plant Management: Status Report - Andrew

Since Alternate Borisko was not present, this discussion will be tabled until the next Commission meeting.

8. Land Conservation Plan: Status Report – Scott

Member Kukshel stated that we are still in the research phase and are working on writing the first few sections of this plan. Member Kukshel summarized the origin & purpose of this plan for the newer members of the Commission. Member Kukshel stated that his research has led him into Atkinson’s historical records as well as seeing how similar towns have written their conservation plans to aid in the creation of Atkinson’s plan.

9. Pollinator Pathways: Status Report - Suzie

Alternate Newman stated that she has started posting about pollinators on different Town Facebook groups in order to begin to raise the awareness level of the residents. Alternate Newman stated that her next step will be hosting presentations and potentially having guest speakers as well as posting an informational display once the Library opens back up. Alternate Newman continued that other towns have done successful milkweed seed giveaways, which are great plants for pollinators. Alternate Newman stated, finally, that she will return to the next meeting with a presentation and a request for a small amount of funds.

10. GIS Training: Status Report – Pete

Member McVay stated that he's been quite busy on this project and has had some great breakthroughs. Member McVay stated that the program is very useful however, the libraries of information are gigantic and sometimes difficult to navigate unless you know what you're looking for. Member McVay gave a brief demo of the GIS program highlighting its different functionalities. Vice Chair Steele asked how to access the program; Member McVay stated that he will send instructions to the Commission Members.

11. Parking Complaints at the Canoe/Kayak Launch – Denise

Member Legault stated that the current dock was built in 2005 with signage indicating that it was a canoe launch. Member Legault continued that over the years, Road Agent Ted Stewart has helped them with small repairs to the dock; the Boy Scouts have also helped with the docks upkeep. Member Legault stated that she's recently heard about some issues about people not being able to find parking there. Vice Chair Steele stated that the concern from neighbors was that non-residents were parking there. Member Legault reminded the Commission that this is Conservation land and it is for everybody to use.

Vice Chair Steele stated, for the neighbors, that while he understands the challenge, the Town does not restrict access to any conservation land. Vice Chair Steele continued that he spoke with Police Chief Crowley about identifying another viable parking area where the overflow may go. Member McVay stated that there used to be a large parking area to the right of the launch, although it may no longer be clearly marked as such.

Michael Damphousse introduced himself as a member of Big Island Pond Corporation and the President of Friends of Big Island Pond. Michael stated that he lives on Stickney Road, three houses from the canoe/kayak launch and, as he sees it, there are currently two problems. The first problem is *how* the canoe/kayak launch is being used, and the second is calling the Atkinson Police Department whenever there is a problem (accidents, etc.). Michael stated that parking overflow has definitely been a problem as of late and most likely due to the pandemic. Michael stated, finally, that what he and the

neighbors are asking for is more oversight; increased parking signage, a trash barrel with a pickup service, etc.

Vice Chair Steele stated that he understands the issue but isn't sure how the Commission can help since, although it is empowered to set Land Use Regulations for all Conservation lands, it has very little ability to enforce those rules. Vice Chair Steele continued that he is also unsure if the Town would put a trash barrel there, and it may be more fruitful to follow the State parks rule of 'carry in, carry out'. Vice Chair Steele stated that he is still searching for suitable overflow parking. Michael stated that signage is a good first step since it is simple and inexpensive, and may have some effect on the visitors. Alternate Newman volunteered to work with Michael to find the right wording for the signage.

12. Foley floating dock: Status Report – Denise

Member Legault stated that there is a small strip of conservation land on Big Island Pond where she'd like to have a bench installed so people in kayaks or canoes can come by and rest for a bit and enjoy the views. Member Legault continued that the neighbor who abuts the strip of conservation land has placed a pontoon float in the lake for apparent use as a floating dock that is making it difficult for visitors to access the conservation land. Member Legault stated that she is doing research to see what the regulations are, and to see what recourse the Commission might have in terms of having the float moved. Vice Chair Steele stated that he'd reach out to Pete Torosian who does water patrols to see if he can add any information to this discussion.

13. Scout Business – Bill

Vice Chair Steele stated that the Boy Scouts have adjourned for the summer but some scouts are doing community service projects and want to clear brush from the town trails, and have been given the go-ahead for basic trail maintenance (no cutting, no chopping). Vice Chair Steele also stated that the scouts will help with the mitigation of invasive species work in the fall.

14. Southern New Hampshire Water Project Update - Bob

Selectmen Worden stated that he's been working with Chair Wainwright on the dredge & fill permit for this project. Chair Wainwright wrote a letter in support of the project and the Selectmen just approved it, although the work won't begin for some time. Vice Chair Steele read the letter that Chair Wainwright wrote and he stated that the project should move forward as proposed. A copy of this letter can be found in Attachment G.

15. Other Business

Member McVay stated that he'd like the following items to be discussed by the Commission at one of the next meetings:

- a. Member McVay stated that he and his wife have worked with the Boy Scouts in the past to provide information packets for hikes. Member McVay stated that he'd like to bring this information to the schools as well to see if they are interested.
- b. Member McVay stated that he sent out a link to the Commission of a video he created with just his iPhone and an inexpensive field microphone in order to take videos of the trails.

Member Kukshel mentioned the Community Conservation Cohort training being offered by the UNH Cooperative Extension this fall, and stated that Chair Wainwright is still looking for another volunteer to participate in the training.

16. Next meetings: July 22 and August 26, 2020 at 7:00PM

17. Save the date: NH ACC Annual Conference: Saturday, November 7, 2020

18. Adjournment

Vice Chair Steele requested a motion to adjourn.

Member McVay made a motion to adjourn the June 24th, 2020 meeting of the Atkinson Conservation Commission. Member Legault seconded the motion. Vote: 6/0/0. (The details of this roll-call vote can be found in Attachment B.)

The meeting adjourned at 8:40PM.

Respectfully Submitted,

Zachary Gilberti, Recording Clerk

Attachments:

- a. Emergency Declaration
- b. Roll-call vote details
- c. Trail-related Expense Overview from Member Krause
- d. Letter to NH F&G and DES summarizing our Page Farm concerns
- e. Letter to Midlands Investments about trail parking
- f. Trails status report from Dennis Krause
- g. "Happy Letter" about the Southern NH Water Project

Attachment A

A Checklist To Ensure Meetings Are Compliant With The Right-to-Know Law During The State Of Emergency

As Chair of the [Atkinson Conservation Commission](#), I find that, due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing [Zoom](#) for this electronic meeting. All members of the [Commission](#) have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # [929-205-6099](#) with meeting ID [917 9775 5929](#) and password [418024](#) , or by clicking on the following website address: <https://zoom.us/j/91797755929?pwd=MIlnkbnhhdko4aUxQdHEvRFdHOU1pdz09>

b) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the [Town of Atkinson](#) at: www.atkinson-nh.gov

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem, please call [362-4549](#) or email at: stationmgr@atkinson-nh.gov .

d) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

Atkinson Conservation Commission

Hiking Trail Projects Expenses

Vendor	Item	Status	Price
1. DLK	Landscape Fabric & Staples and Anchors	Open	\$83.95
2. DLK	Galv Nails for Trail Blazes	Open	\$11.47
3. DLK	Outdoor Leaflet Holders 3 pcs	Open	\$51.04
4. DLK	Styrofoam Spacing for Holders	Open	\$23.94
5. HP&C	Eight (8) Plastic Trail Signs...\$15.60/ea	Pay Pending	\$139.83
6. DLK	Four (4) Sign Posts...\$12.37/ea.	To Buy	\$49.48
7. HP&C	Labor for trail changes and poster	Open	\$75.00
8. HP&C	31 x 24 in. Tail Map Poster...\$46.50/ea	To Buy	\$93.00
9. FI	Framing of Trail Map Poster (2)...\$250/ea	To Buy	\$500.00
10. DLK	4 x 7 in Acrylic Map Holders...set of 12	Open	\$45.99
11. DLK	4 x 7 in Acrylic Map Holders...set of 12	To Buy	\$45.99
12. HP&C	Five(5) Remaining Plastic Trail Signs...\$15.60/ea	To Buy	\$78.00
13. DLK	Four (4) 3x6 ft Kiosks...\$125/ea	To Buy	\$500
		Totals	\$1697.69

Notes:

Vendors:

DLK... Dennis Krause
 HP&C....Hampstead Print & Copy
 FI...Framing Impressions, Plaistow

Status:

Open...purchased and received, receipts not submitted to date for payment
 Pay Pending...receipt submitted for payment
 To Buy...items to be purchased for project completion

TOWN OF ATKINSON CONSERVATION COMMISSION
21 Academy Avenue
Atkinson, New Hampshire 03811

June 5, 2020

Revised June 15, 2020

Glenn Normandeau
Executive Director, NH Fish & Game
11 Hazen Drive
Concord, NH 03301

Re: Docket No. 19-16 WC - Midlands Investments, LLC Appeal

Dear Executive Director Normandeau –

On behalf of the Atkinson Conservation Commission and the people of Atkinson, I am asking you – pleading with you – to stand your ground with respect to DES’s denial of the Alteration of Terrain permit for the additional 7 units being proposed by Midlands Investments for the Page Farm development in Atkinson.

When DES originally denied this AoT permit there were many good reasons, and the fundamental logic has not changed despite the recent Joint Legislative Committee on Administrative Rules (JLCAR) approval of revised rule Env-Wq 1503.19 (h). In testimony before the NH Supreme Court in the Milford case that resulted in this rule change, DES stated that, for a number of years, they have been following a de-facto “minimization of impact” standard for Threatened & Endangered species despite the fact that the written rule was a “no adverse impact” rule. Here is a portion of the Court’s ruling in that case:

Moreover, there is ample evidence in the record that DES itself adopted and applied the less demanding “minimization of impacts” standard. In a request for more information from the Town [of Milford], DES stated that it was the department’s “understanding that further discussions with [Fish & Game] were required to determine what should be done to minimize any impacts to threatened and endangered species on the site.” In addition, DES staff consistently referred to the “minimization of impacts” standard in testimony before the Water Council [in the Milford case]. [Ref: NH Supreme Court Milford ruling, page 4, emphasis added]

In fact, during the JLCAR hearing on March 6, 2020, DES Commissioner Robert Scott made numerous references that during the past 11 years they had been interpreting the T&E rule as a “minimization of impact” standard when working with NH F&G on AoT permitting issues. [Ref: Transcript of the March 6, 2020 JLCAR meeting, pages 56 – 59]

Therefore, our first argument is this: if the AoT permit was denied under the previous de-facto “minimization of impact” standard, then adopting such a rule in writing is no reason at all to overturn the denial. If anything, it could be argued that the newly-adopted rule is more restrictive than the de-facto practices of the past 11 years because the new rule requires a wildlife study to be done prior to design, which was not the case with the Page Farm project.

Our second argument is also based on an observation made by the NH Supreme Court in the Milford case. In their ruling, the Court rejected the notion that a “no adverse impacts” rule would inevitably result in the denial of AoT permits whenever T&E are present on a project. The Court endorsed the notion that it is possible to design a project so that it will not result in adverse impacts to T&E. They also endorsed the idea that studies could be done before a project is designed, and that it is entirely possible to design around T&E’s use of the property:

DES also argues that repeated references by DES and Fish & Game to a “minimization of impacts” standard did not reflect material divergence from the “no adverse impact” standard set out in the regulation, because, in reality, application of a more demanding standard would preclude DES from issuing alteration of terrain permits any time threatened or endangered species are present on a project site.... However, DES fails to address testimony before the Water Council offered by an environmental consultant, who performed a Natural Resource Inventory on the Brox property for the Milford Conservation Commission, that it is indeed possible to design a project so that it will not result in adverse impacts to threatened or endangered species. Focusing on the lack of studies conducted prior to issuance of the permit to the Town, the environmental consultant opined that the project had not been designed to avoid adverse impacts. He explained that this failure could have been remedied if Fish & Game had conducted studies on the Brox property before the Town began excavation, rather than during the excavation as provided for in the permit, to understand how each of the threatened or endangered species use the property. He testified that when these studies take place before implementation of a project, it is possible, based on the information gleaned from the studies, to design around the threatened or endangered species’ use of the property.... [W]e are not convinced that application of the more demanding standard in the rule would inevitably result in the denial of alteration of terrain permits whenever threatened or endangered species are present on a project site. [Ref: NH Supreme Court Milford ruling, page 5]

In the case of the Page Farm development, the original design and AoT permit was for a 60-unit project on a 92.8-acre parcel. Construction of these 60 units is now well under way. The current AoT permit application is to add an additional 7 units to the plan, for a total of 67 units on the same parcel of land. The positioning of these additional 7 units is, understandably, now constrained by the on-going construction of the original 60 units. However, had the original design included all 67 units from the very beginning, and if studies had been done, it would have been entirely feasible to locate those units in other places on the 92.8-acre parcel that would not have impacted the Threatened and Endangered species.

Midlands Investments will undoubtedly argue that they purchased the project from another developer, and the area in question was already designated as “Convertible

Common Land” on the plan when they acquired it. However, that designation was made by the Atkinson Planning Board, who do not have jurisdiction over or insight into environmental matters or state permits. Therefore, the fact that the project was acquired from another developer does not negate the argument that it could have been possible to plan a different layout for 67 units from the very beginning.

In addition to the impact on T&E, which is the focus of the current appeal, let me remind you of some additional reasons we are opposed to granting this AoT permit:

- The wetland adjacent to the proposed 7 units is one of Atkinson’s Prime Wetlands. At more than 140 acres, the Sawmill Swamp Prime Wetland is one of the state’s finest habitats for wildlife. I have attached a photo from northwest of the Page Farm project, looking back in that direction [Attachment a]. Such a fine wetland is rare in this very built-up part of the State, which only heightens the need to aggressively defend it.
- The Sawmill Swamp Prime Wetland has no significant abutting developments. It is pristine and well protected. Any argument that the environmental impact would be relatively small is false logic. Allowing these 7 units to be developed as proposed would set a precedent for others to do likewise, which would further threaten this very valuable part of Atkinson’s natural resources.
- The area where Midlands Investments plans to build these units is designated in NHF&G’s 2020 Wildlife Action Plan as among the highest ranked habitats in the biological region – I have attached a portion of the 2020 WAP ranking map showing the project area [Attachment b].
- *The Project Area is also completely within a wildlife corridor identified by the 2018 Connect the Coast wildlife corridor study – I have attached this map as well [Attachment c].*
- Any argument that T&E sightings are rare in this area is incorrect and uninformed. Blanding’s Turtles are a common sight in this part of town, and all too often they wind up flattened on a roadway. I’ve attached a photo I made last year, taken on Maple Avenue, which separates the East and West portions of the Sawmill Swamp Prime Wetland [Attachment c].
- Building the units as proposed would bifurcate the upland portions of the town’s abutting conservation areas, thus disrupting travel corridors and making it difficult for species to travel on dry land between fragmented conservation lands.
- We believe that the development plan may have missed several important wetland features, including a suspected vernal pool that is not shown on the plan. I have attached a photo of Wood Frog eggs from that pool, which are a primary indicator of vernal pools. This photo was supplied to me by Neil Bilodeau of the DES Wetlands Bureau [Attachment d].
- The site plan for these additional units calls for a very large amount of excavating and grading, which extends right to the edge of existing wetlands, which are connected the Prime Wetland. *No 'freeboard' is available or provided at the toe-of-fill, so if there is erosion, (and there almost certainly will be erosion on such a steep slope and due to the pond outlet) the siltation barriers will easily be*

overwhelmed, thus resulting in sedimentation of adjacent wetlands and a corresponding diminution in water quality, both of which will constitute a violation.

- The site plan shows overflow from bioretention areas draining directly into wetland that is connected to the Prime Wetland in one case, and into the suspected vernal pool in the other case.
- The long-term human impact on wildlife habitat from things such as road salt would go way beyond the actual period of construction activities.

In closing, New Hampshire DES and F&G rules and regulations are an important part of the Atkinson Conservation Commission's efforts to protect this town's natural resources. Please support our efforts by continuing to deny this AoT permit.

Sincerely,



Paul Wainwright
Chair, Atkinson Conservation Commission

email: conservation@atkinson-nh.gov

home phone: (603) 362-6589

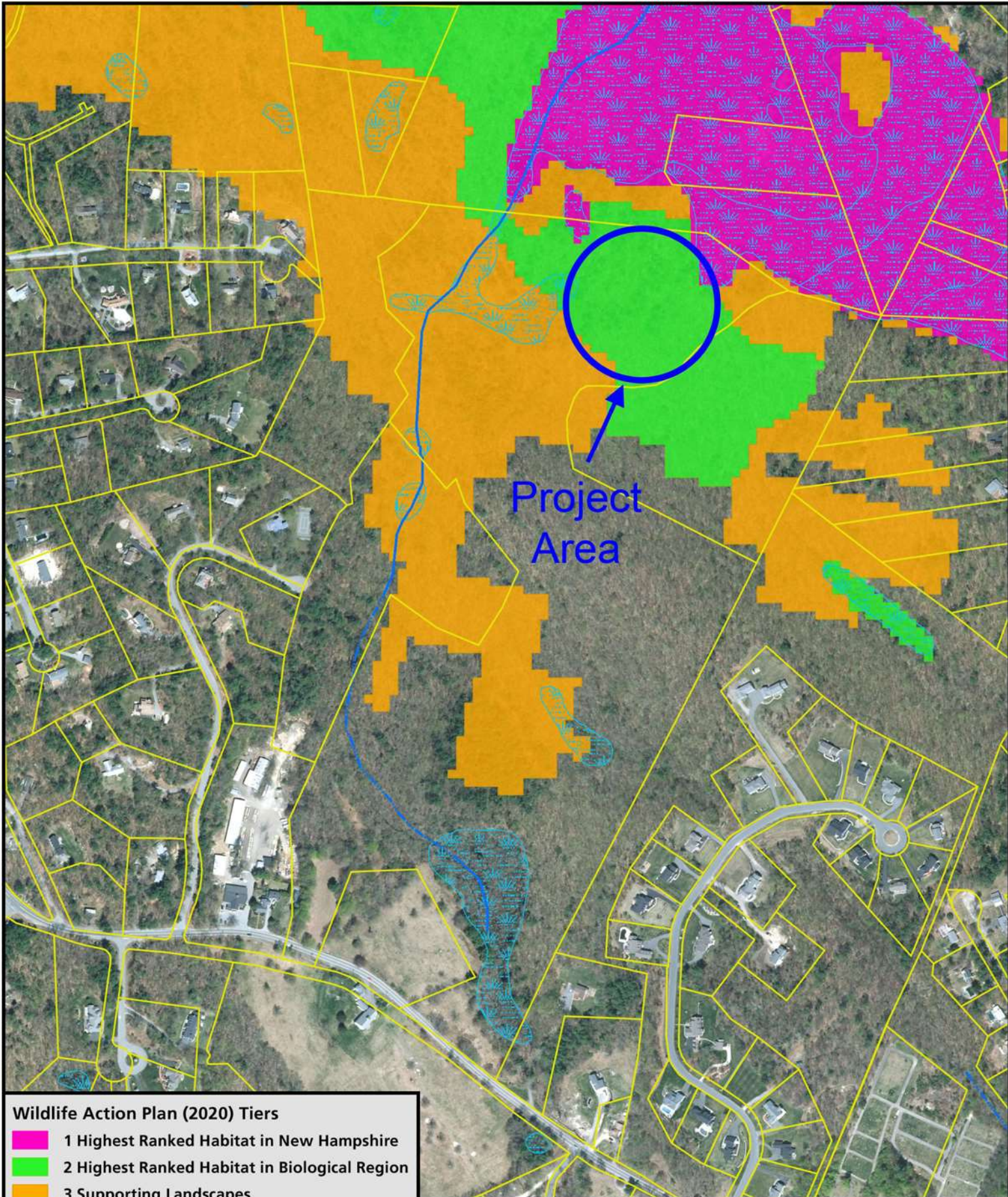
Copy to:

Mark Ellingwood, Chief of Wildlife Division, NH F&G
Paul Sanderson, Esq., Legal Coordinator, NH F&G
Michael Marchand, Nongame & Endangered Wildlife Program, NH F&G
Melissa Doperalsk, Nongame & Endangered Wildlife Program, MH F&G
Robert Scott, NH DES Commissioner
Ridge Mauck, NH DES Alteration of Terrain Bureau
Gretchen Hamel, Esq., Legal Unit, NH DES
Eben Lewis, NH DES Wetlands Bureau
Neil Bilodeau, NH DES Wetlands Bureau
Sabrina Stanwood, NH Natural Heritage Bureau
Rick Van de Poll, PhD, Ecosystem Management Consultants
Barbara Richter, Executive Director, NH Association of Conservation Commissions
Jim O'Brien, Nature Conservancy

Attachments:

- a. Photograph of Sawmill Swamp Prime Wetland
- b. NHF&G 2020 Wildlife Action Plan rankings map and Project Area
- c. *Wildlife Corridor Map from the 2018 Connect the Coast study*
- d. Blending's Turtle on Maple Avenue
- e. Wood Frog eggs in Project Area





Project Area

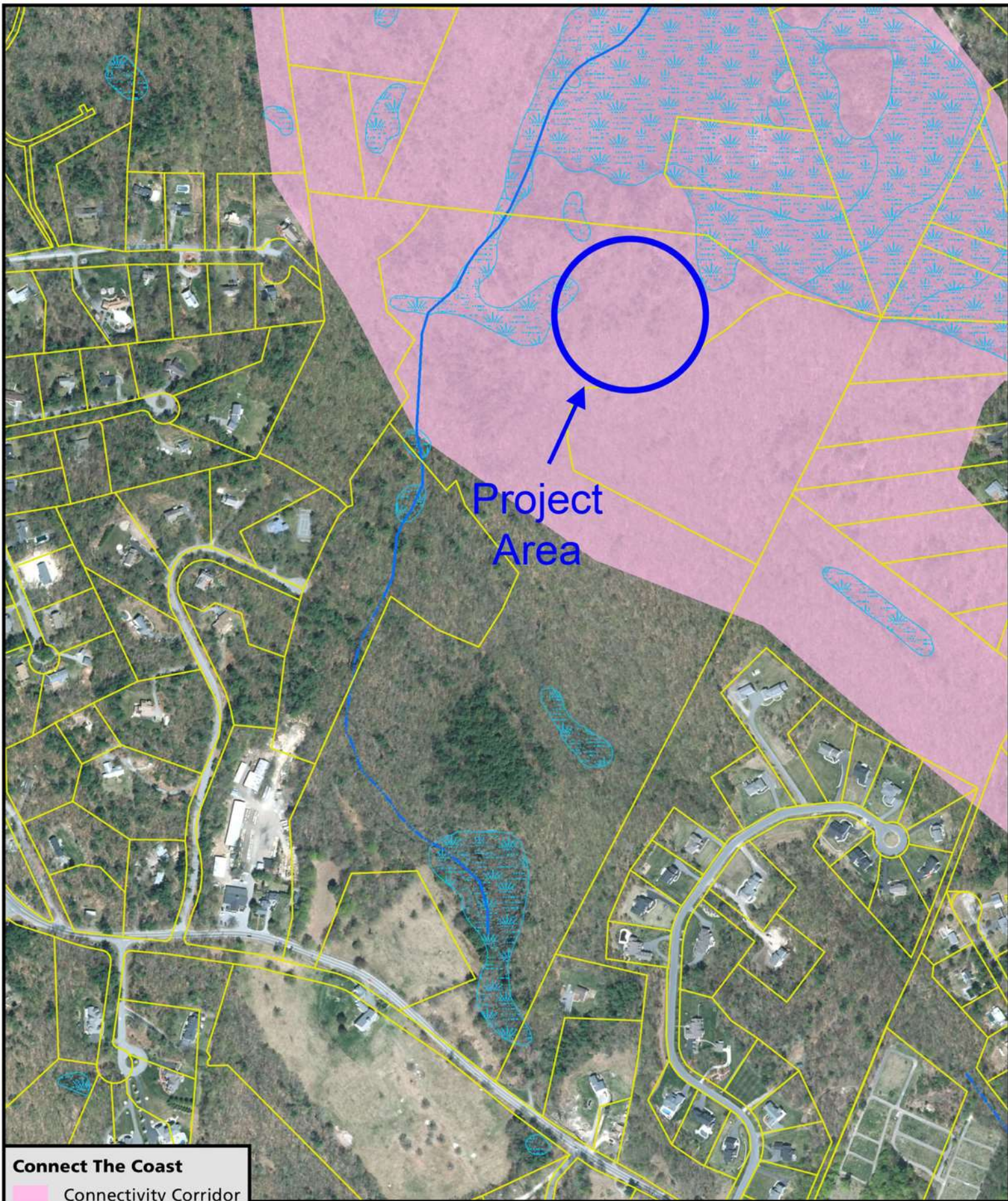
Wildlife Action Plan (2020) Tiers

- 1 Highest Ranked Habitat in New Hampshire
- 2 Highest Ranked Habitat in Biological Region
- 3 Supporting Landscapes
- Stream/River
- Intermittent Stream
- NWI wetlands
- Atkinson taxparcels

**Atkinson
WAP**

1:6,000





Project Area

Connect The Coast

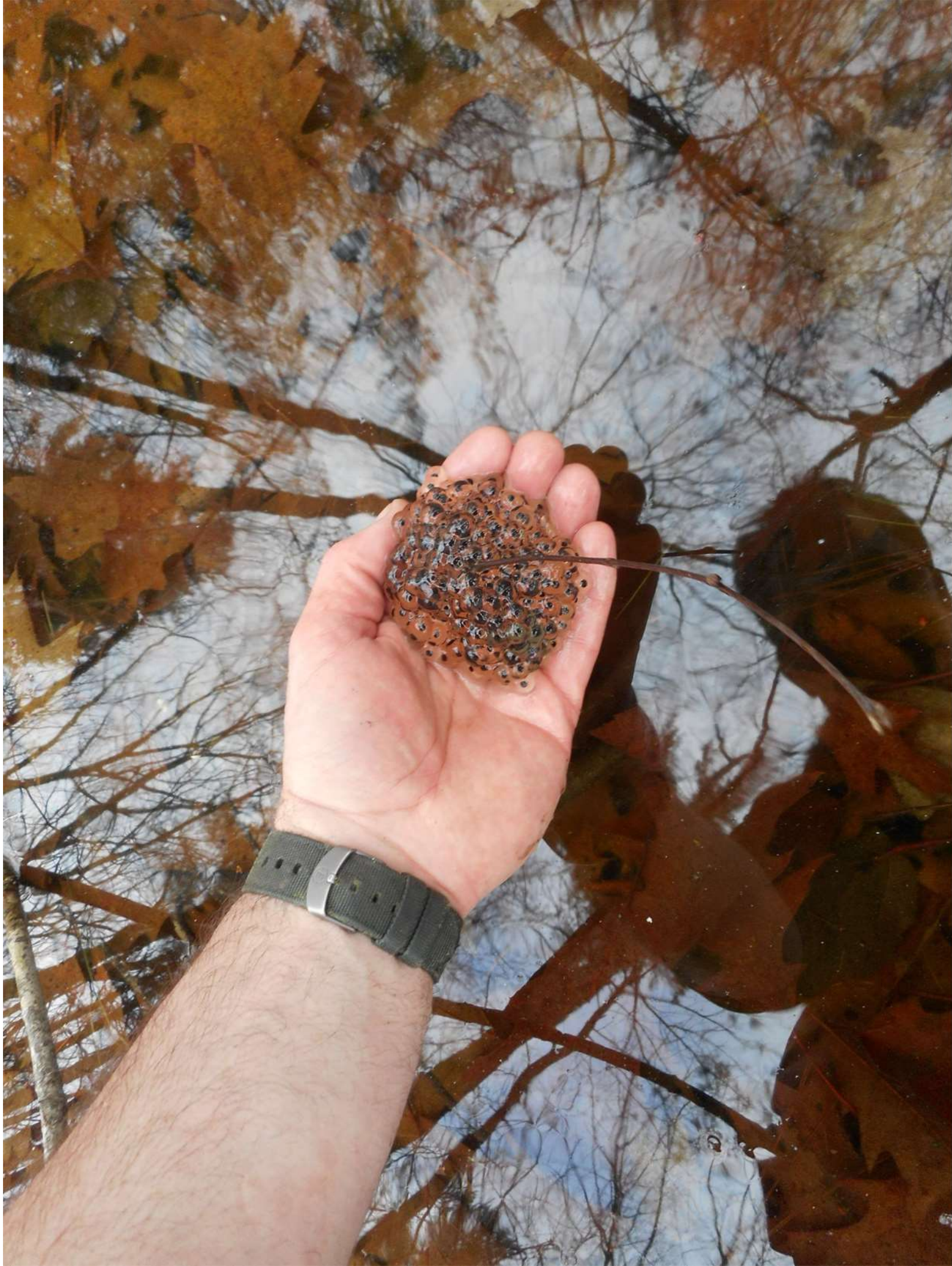
- Connectivity Corridor
- Stream/River
- Intermittent Stream
- NWI wetlands
- Atkinson taxparcels

**Atkinson
Connect The Coast**

1:6,000

0 500 1,000 Feet





TOWN OF ATKINSON CONSERVATION COMMISSION
21 Academy Avenue
Atkinson, New Hampshire 03811

June 30, 2020

Midlands Investments, LLC
Attn: Michael Green
11 Lafayette Road
North Hampton, NH 03862

Re: Parking on Town Conservation Land adjacent to the 7-unit access road

Dear Michael –

Please be advised that the Atkinson Conservation Commission has unanimously voted to rescind permission for Midlands Investments to cut and grade a portion of the town's conservation land that abuts the 7-unit access road to be used for trail parking. While this was one of the conditions stated in the Atkinson ZBA's Conditional Approval letter of September 18, 2018, and the Atkinson Planning Board's Conditional Approval letter of May 2, 2019, a recent review of NH Fish & Game records has indicated that this area is one of the highest ranked wildlife habitats in the biological region, and it would be inappropriate to use it for parking. I have attached a portion of NH Fish & Game's Wildlife Action Plan map for this area.

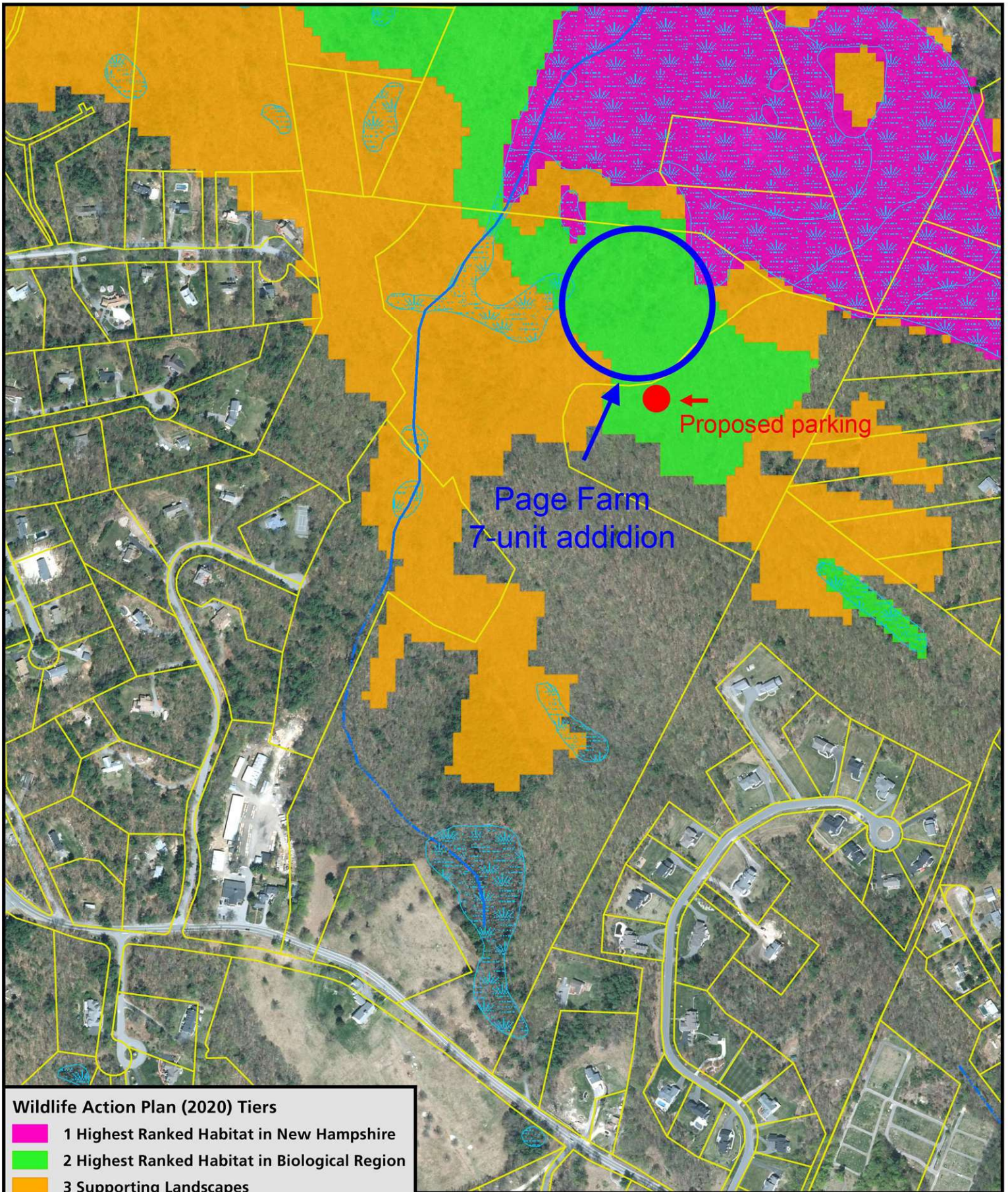
Sincerely,



Paul Wainwright
Chair, Atkinson Conservation Commission
email: conservation@atkinson-nh.gov
home phone: (603) 362-6589

Copy to:

Sue Coppeta, Atkinson Planning and Zoning Administrator
Sue Killam, Chair, Atkinson Planning Board
Glenn Saba, Chair, Atkinson ZBA
Steve Keach, Town of Atkinson Consulting Engineer
Jason Grosky, Chair, Atkinson board of Selectmen



Wildlife Action Plan (2020) Tiers

- 1 Highest Ranked Habitat in New Hampshire
- 2 Highest Ranked Habitat in Biological Region
- 3 Supporting Landscapes
- Stream/River
- Intermittent Stream
- NWI wetlands
- Atkinson taxparcels

**Atkinson
WAP**

1:6,000

0 500 1,000 Feet

Trails Report from Dennis Krause

Atkinson Conservation Commission

June 24, 2020

For a brief trails report for the meeting, the following is the current status:

Two plastic trail map signs for each trail heads of Orr, Sawyer, Woodlock and Crown Hill have been fabricated and are being installed.

The composite trail poster for the Library and Town Hall of the eight trail systems has been updated with the latest changes and is ready for printing by Hampstead P&C in a 31 x 24 inch format.

Framing Impressions in Plaistow has been contacted for framing of the two posters and mounting of the eight map holders.

Design for a simple trail kiosk has been completed (3 ft wide by 6 ft tall) for an estimated cost of less than \$125.

Four potential kiosks could be installed at four trail systems: Orr, Sawyer, Crown Hill and Marshall land.

TOWN OF ATKINSON CONSERVATION COMMISSION
21 Academy Avenue
Atkinson, New Hampshire 03811

June 18, 2020

David Cressman
Atkinson town Administrator

Re: Dredge & Fill Permit for the Southern NH Water Project

Dear David –

I have reviewed the Atkinson portion of the plans for the above-referenced project which you sent to me on June 8, 2020. The plans themselves were dated April 10, 2020. I have also reviewed the draft Dredge and Fill permit application for this project which you sent me on June 16, 2020.

The proposed work involves burying a water line under a portion of a town-owned road (Bryant Woods Road) and a state-owned road (East Road). While the East Road portion of the work is within the 100-foot state-required natural vegetative buffer to the Bryant Brook Prime Wetland, the proposed work will not further disrupt the buffer since the work will be within the established roadway or its gravel edge. Furthermore, the portion of the project that crosses Bryant Brook will be accomplished by a horizontal drilling process below the stream bed, again resulting in no direct harm to the stream or its associated wetland. As long as the contractor follows proper siltation controls and other Best Practices for working around wetlands, I anticipate no issues with this project.

Sincerely,



Paul Wainwright
Chair, Atkinson Conservation Commission

email: conservation@atkinson-nh.gov

home phone: (603) 362-6589

Copy to:

Sue Coppeta, Atkinson Planning and Zoning Administrator
Sue Killam, Chair, Atkinson Planning Board
Steve Keach, Town of Atkinson Consulting Engineer
Jason Grosky, Chair, Atkinson Board of Selectmen
Bob Worden, Atkinson Board of Selectmen