

**Franklin Conservation Commission
Regular Meeting Agenda
September 10, 2019
City Hall Basement – 7:30 pm**

Call to Order

- Approval of the August 13, 2019 meeting minutes

Old Business

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New Business

- DES Confirmation of Complete Forestry Notification (RSA 482-A); NHDES File Number: 2019-02567, Project Location: Timberland Dr., Franklin, Tax Map #69/28/11, Lot 401,403/402/401.
- DES Notice of Acceptance of Wetlands Permit Application (RSA 482-A); NHDES File Number: 2019-02573, Subject Property: Central St, Franklin, Tax Map #NS, Lot #117-162, 135-402,134-413.
- DES Notice of Acceptance of Shoreland Permit Application (RSA 483-B); NHDES File Number: 2019-02636, 106 Webster Ave, Franklin, Tax Map #76, Lot #137.
- DES Wetlands and Non-site Specific Permit 2019-02645, Franklin Falls Hydro Electric, 223 Central Street, Tax Map #117, Lot #264

Other Business

Adjournment

FRANKLIN CONSERVATION COMMISSION

Meeting Minutes

August 13, 2019

Present: Nita Tomaszewski, Mike Mullavey, Roy Gilbreth, Glenn Morrill, Bob Morin

Next meeting: September 10, 2019 - 7:30 pm, City Hall Basement

Meeting called to order by Nita at 7:31pm

Minutes of the May 14, 2019 meeting were distributed for review. Roy moved and Glenn seconded the motion to approve the meeting minutes. The motion passed.

I Old Business

Great Gains Forest (Proposed mountain bike trails update) – The Commission reviewed the draft Memorandum of Understanding between the City and the North East Mountain Biking Association (NEMBA) regarding the use of the Veterans Memorial Recreation Area for mountain biking trails. Mike will follow-up with NEMBA.

Replacement tree at police station – Because of budget constraints, the Commission opted to not fund a replacement tree at the police station.

II New Business

Proposed October dam maintenance at the Franklin Falls Hydro Electric Corp – Alan Larter, representing Franklin Falls Hydro, presented his DES Wetlands Permit by Notification Application. After discussion, Roy moved and Mike seconded the motion to approve the expedited application. Nita will sign the application once the New Hampshire Natural Heritage Bureau Results Letter is obtained and included with the completed application.

DES Notice of Acceptance of Permit Application for Alteration of Terrain, NHDES File Number 190701-122, Tax Map 147, Lots 404 & 051 – The Commission reviewed the permit application, noting that Nobis Engineering has not yet submitted a copy of the application to the City. Nita will follow-up with the City Clerk to determine whether the City Clerk of the Commission is to contact Nobis Engineering regarding the missing copy of the application.

DES Notice of Acceptance of Permit Application for Shoreland Permit, NHDES File Number 2019-02353, 220 Lake Shore Drive, Tax Map 032, Lot 007. - The Commission reviewed the permit application, noting that the property owner, Deborah Hinds Parker, has not yet submitted a copy of the application to the City. Nita will follow-up with the City Clerk to determine whether the City Clerk of the Commission is to contact Parker regarding the missing copy of the application.

III Other Business

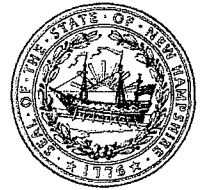
The Commission received a hardcopy of the Wetlands Permit Application for the Franklin Whitewater Park. Nita will contact VHB, representing the park project, to obtain an electronic copy of the application.

Adjournment

The meeting adjourned at 8:18 pm.



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

CONFIRMATION OF COMPLETE FORESTRY NOTIFICATION
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

August 15, 2019

D BLAKELY HOAR TRUST
155 SEAPORT BLVD
BOSTON MA 02110-2204

Re: Forestry Notification (RSA 482-A); NHDES File Number: 2019-02567
Project Location: Timberland Dr, Franklin, Tax Map #69/28/11, Lot #401,403/402/401

Dear Property Owner:

The New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau received your Forestry Notification and supporting documentation (Forestry Notification) on August 15, 2019 in reference to the above project location. NHDES has reviewed your Forestry Notification in accordance with RSA 482-A:3, XIV.

YOUR FORESTRY NOTIFICATION IS SUFFICIENT TO START WORK, PROVIDED:

1. You are NOT working in a municipally designated prime wetland, or prime wetland buffer or in a bog, marsh, or undisturbed tidal buffer zone. To find out if your project's municipality has designated a wetland as prime, log on to: https://www.des.nh.gov/organization/divisions/water/wetlands/prime_wetlands.htm;
2. You are cutting timber for forest management purposes ONLY and not for current or future development;
3. You follow the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" published and revised in 2016 by the NH Department of Resources & Economic Development. To view the manual, log on to: <https://www.des.nh.gov/organization/divisions/water/wetlands/documents/timber-harvesting-bmp-manual-2004.pdf>;
4. You have avoided wetlands and stream crossings where possible; all crossings have been located to minimize impact; and all crossings qualify as "minimum impact" by NHDES Wetlands Bureau rules; and
5. The Confirmation of Complete Forestry Notification form (printed on Tyvek paper) must be posted in a secure manner, in a prominent place, at the site of the approved project. The Confirmation form will be sent to the forester or logger, if one is identified in your Forestry Notification.

This Notification is valid through August 15, 2021.

If you have any questions, please contact NHDES Wetlands Bureau at (603) 271-2147.

Sincerely,

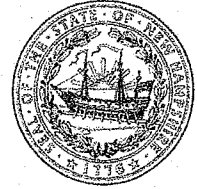
Wetlands Bureau
Land Resources Management

cc: Shaun Lagueux, New England Forestry Consultants w/Tyvek
District Forest Ranger
Franklin Municipal Clerk/Con Com





The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

**NOTICE OF ACCEPTANCE OF PERMIT APPLICATION
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU**

August 19, 2019

FRANKLIN MUNICIPAL CLERK/CON COM
316 CENTRAL ST
FRANKLIN NH 03235

Re: Wetlands Permit Application (RSA 482-A); NHDES File Number: 2019-02573
Subject Property: Central St, Franklin, Tax Map #N8, Lot #117-162, 135-402, 134-413

Dear Sir or Madam:

The New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau received and accepted the Wetlands Permit Application on **August 16, 2019** for the above referenced property pursuant to RSA 482-A:3, XIV, and found it to be administratively complete. The application requests a permit for impacts to a jurisdictional wetland at the subject property. **Please note this letter is not a permit or authorization to begin work.**

Pursuant to RSA 482-A:11, III, if the municipal conservation commission intends to investigate any notice received by it pursuant to RSA 482-A:3 it must submit written notification to NHDES by **August 20, 2019**. All comments should reference **NHDES 2019-02573**, and be directed to the following address:

NHDES WETLANDS BUREAU
29 HAZEN DR PO BOX 95
CONCORD NH 03302-0095

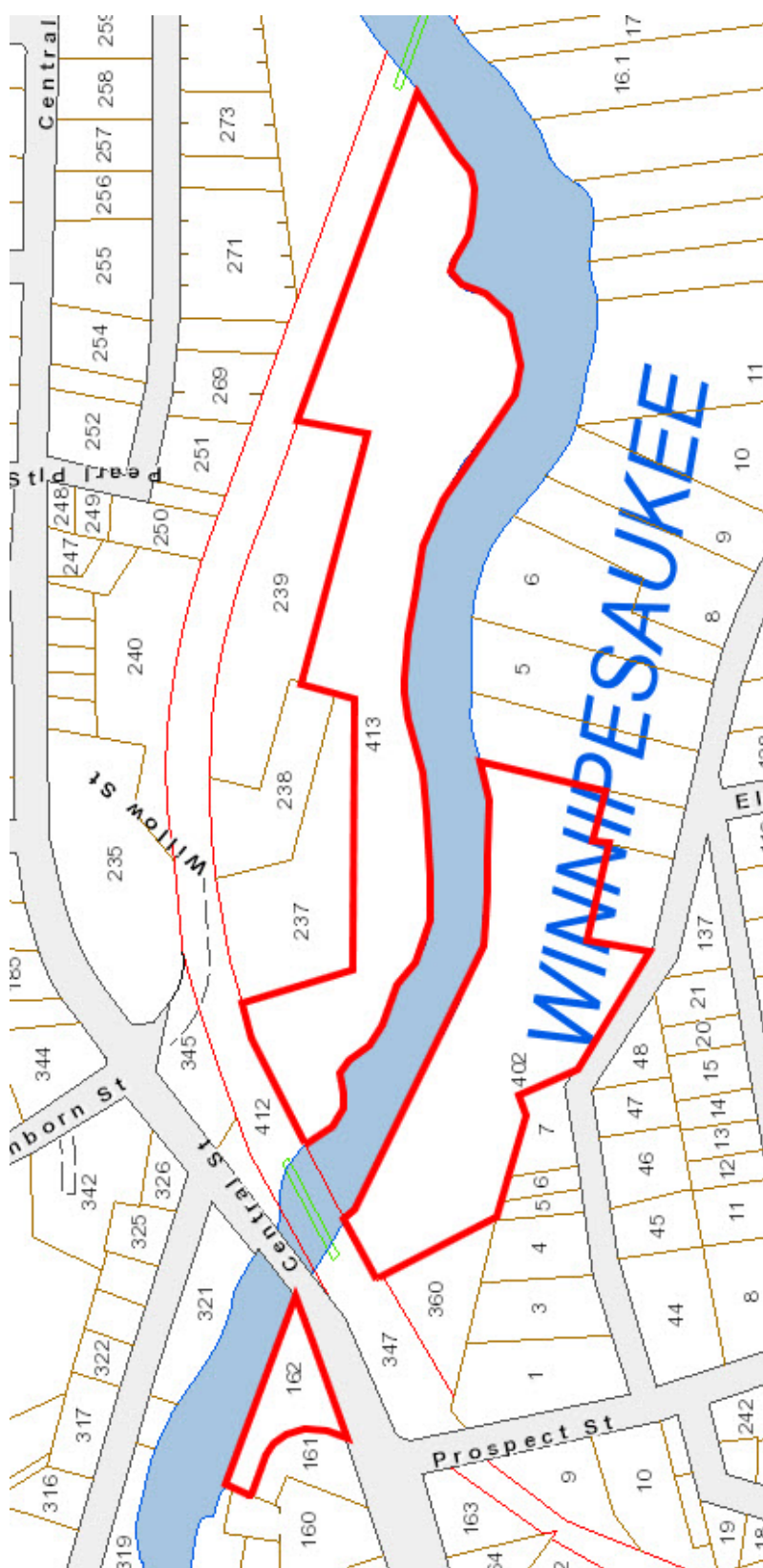
Please provide a copy of this Notice to all interested departments, boards and commissions. Also note that under current state law and regulations, NHDES is not authorized to consider local zoning and regulatory issues pertaining to a project; the issues must be addressed at the local level.

If you have any questions regarding this Notice, please contact the NHDES Wetlands Bureau at (603) 271-2147.

Sincerely,

Wetlands Bureau
Land Resources Management

cc: Judie Milner, City of Franklin
Kristopher Wilkes



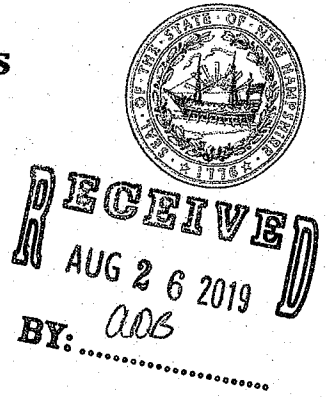


The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

**NOTICE OF ACCEPTANCE OF PERMIT APPLICATION
LAND RESOURCES MANAGEMENT
SHORELAND PROGRAM**

August 22, 2019



FRANKLIN MUNICIPAL CLERK/CON COM
316 CENTRAL ST
FRANKLIN NH 03235

Re: Shoreland Permit Application (RSA 483-B); NHDES File Number: 2019-02636
Subject Property: 106 Webster Ave, Franklin, Tax Map #76, Lot #137

Dear Sir or Madam:

Pursuant to RSA 541-A:39, please be advised that the New Hampshire Department of Environmental Services (NHDES) accepted an application on **August 21, 2019** for the permit program and subject property referenced above.

The application requests a permit for impacts to jurisdictional shoreland at the subject property. A detailed technical review of the application package will be completed within the applicable timeframe: 30 days of receipt of an application for a permit or 30 days of receipt of an application for a permit that will require a waiver of the minimum standards of RSA 483-B:9.

Pursuant to RSA 483-B:5-b, IV-a and Env-Wq 1406.13(a), the applicant is required to have notified the municipality by certified mail and provided a completed and signed copy of the permit application. If you have not received the required information, please contact the applicant or their agent at the following address:

RICHARD LEPENE
PO BOX 1190
TILTON NH 03276

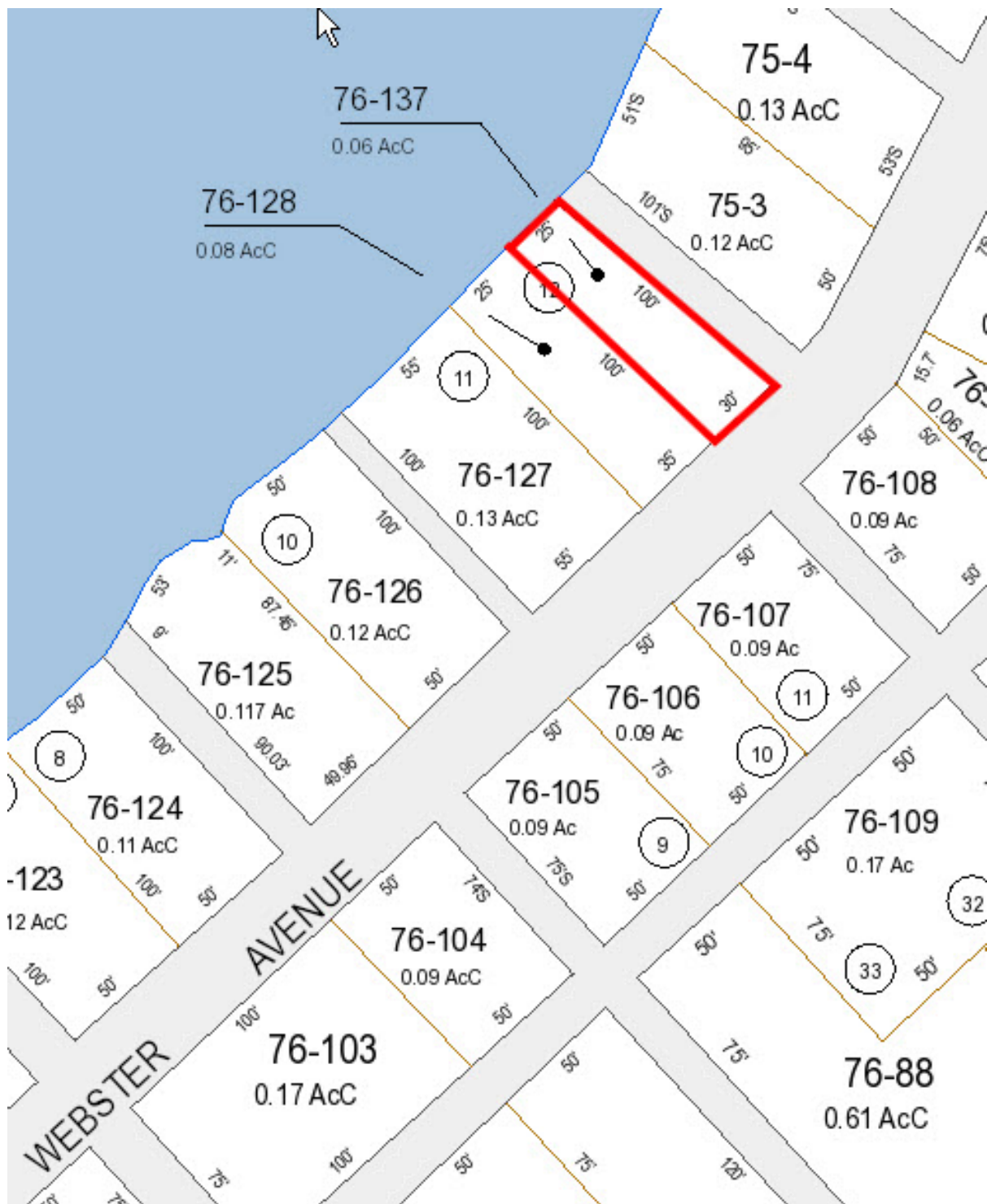
Please provide a copy of this notice to all interested departments, boards and commissions. Also note that under current state law and regulations, NHDES is not authorized to consider local zoning and regulatory issues pertaining to a project; these must be addressed at the local level.

If you have any questions, please contact the NHDES Shoreland Program at (603) 271-2147.

Sincerely,

Shoreland Program
Land Resources Management

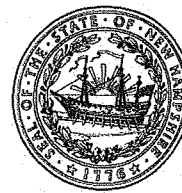
cc: Douglas & Shannon Miller
Richard Lepene P.E.





The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



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WETLANDS AND NON-SITE SPECIFIC PERMIT 2019-02645

NOTE CONDITIONS

PERMITTEE: FRANKLIN FALLS HYDRO ELECTRIC
PO BOX 216
FRANKLIN NH 03235

PROJECT LOCATION: 223 CENTRAL STREET, FRANKLIN
TAX MAP #117, LOT #264

WATERBODY: WINNIPESAUKEE RIVER

APPROVAL DATE: AUGUST 30, 2019

EXPIRATION DATE: AUGUST 30, 2024

RECEIVED
SEP 05 2019
BY: *[Signature]*

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Dredge and fill approximately 70 square feet within the Winnepesaukee River to install 70 linear feet of steel sheeting at the base of a concrete water intake of a dam to prevent erosion.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Franklin Falls Hydro Electric dated August 13, 2019 as received by the NH Department of Environmental Services (DES) on August 21, 2019.
2. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
5. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
6. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
9. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
11. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

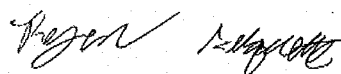
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species;
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED:



Ryan A. Duquette
Wetlands Bureau
Land Resources Management

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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)