

CONSERVATION COMMISSION MINUTES

December 7, 2022

APPROVED: 1/4/2023

AGENDA: BENNETT WETLANDS – RESEARCH
WELCOME BINDER – REVISIONS
UPDATED CONSERVATION COMMISSION CHECKLIST
SITE VISIT REPORTS & DISCUSSION:
PROPERTY PURCHASE DISCUSSION – TOWN WELL FOWLER RIVER
HIRING SURVEYOR DISCUSSION (LAYOUT BOUNDARIES NEEDED)
BRECK-PLANKEY SPRING – Updates/Maintenance

ATTENDING: Carroll Brown (Chair), Richard Batchelder (Vice Chair), Elizabeth Miller, Janet Cote, Richard Metcalf, and Bill Haskell (Alternate)

ABSENT: Elizabeth Miller

OTHER: Christina Goodwin (Interim Deputy Town Administrator, Joanne Bailey (Land Use Manager), Michelle McCaleb, Land Use Administrative Assistant, Chip Carleton, and Tyler Ford (via Zoom)

Mr. Brown called meeting to order at 6:09 PM with a quorum present in-person.

OLD BUSINESS:

BENNETT WETLANDS RESEARCH & SITE VISIT REPORT - Ms. Goodwin reported that she had no new information yet. She is still looking to get a copy of the deed to help determine where the actual right of way for access to this property is located. The plan presently indicates the location of parking and access along Swiss View Road. The Commission reviewed the property on the television screen to show both the Ravine Drive and Swiss View Road with the parking area per plan. Ms. Goodwin indicated that she will be looking for the deed to compare to the plan that was found at the Grafton County Registry of Deeds.

Mr. Brown and others shared their experience and comments regarding a site visit to the Bennett Wetlands in November. They were able to walk a good portion of the property but did not get to the southern area of the property. More Conservation boundary markers were placed. Mr. Batchelder stated it was a good visit and that he was surprised by how large the property is. They did see the snowmobile trail, the assumed parking area, beaver dams and saw no issues. Mr. Brown stated that Mrs. Miller was present for the visit and mapped the visit with her GPS program.

WELCOME BINDER REVISIONS

Ms. Goodwin updated the Commission on the changes made per the discussion and recommendations at the November meeting. Mr. Brown asked about the Bylaws paragraph regarding Bylaws review. There was discussion about whether it should read every couple of years or bi-annually. Ms. Cote mentioned it is probably stated as to when it should be done in the Bylaws. Ms. Goodwin brought up a copy from the website and it stated they should be reviewed annually so this paragraph will be updated in the Binder.

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Contents will be updated and include the Special Use Permit Checklist & Supporting Documents once finalized. There was consensus with the Commission that the review and editing was finished, and the binders can now be created.

CONSERVATION COMMISSION CHECKLIST - Mr. Metcalf stated that he updated the document following last meeting and sent it off to Christina for integration of form format. Ms. Goodwin talked briefly about what the form section would look like. There was additional discussion about the types of questions and the preferred answer formats. The office will share the updated document with the Commission and a form for review at the January meeting.

NEW BUSINESS:

SITE VISITS REPORTS - Mr. Brown asked Ms. Goodwin to show the Town maps on the screen to assist with the reports as follows.

Fowler River Well Site area - Mr. Batchelder pointed out that they walked down to the first well and then out to the river. While walking back they noticed debris across the river in a swampy area. They further investigated and found it was an old dumping area with tires, washers, and other debris. Mr. Brown contacted the Water Department Superintendent about this to let him know and he responded that he was aware of it. Ms. Goodwin stated she will follow up as it should be removed. Mr. Brown proposed the possibility of purchasing adjacent property for well protection. He thought it might be a good idea to think ahead about this. Mr. Batchelder felt it would be good to talk to landowners about the possibility for protection purposes. Ms. Cote mentioned the possibility of conservation easements to achieve this. Mr. Brown stated that it would probably be a warrant article process and that purchase for well protection may be more amenable by the taxpayers. Mr. Metcalf asked if there was already some protection in the area. Ms. Goodwin pointed out the Wellhead Protection Area, the Wellhead Setback areas as well as the Shoreland Protection Area and the Storm Center Well Buffer. This could make it easier for purchase. Mr. Batchelder and Mrs. Cote suggested that this might make a good argument for conservation easement as well. The Commission then reviewed the State Aquifer Maps. Mr. Brown noted that the Town Well area is in a highly transmissive aquifer. Mr. Brown stated he will talk more with Jeff Chartier about this. Mr. Brown mentioned that maps should be somewhere on file. Ms. Cote will check the file drawer and Ms. Goodwin stated that there were some maps in the cage in the upstairs storage area at the Town Offices.

Camp Greenwood and adjacent wetlands – Mr. Batchelder stated that it was good to get out to this area. Mr. Brown stated that he initially thought the Fowler River area wetlands connected to the Camelot Acres wetlands, but after walking this area, we could not find it. It does not look like these areas are connected.

Westwood Drive - Ms. Goodwin displayed on the screen the location on the Town maps. Mr. Brown stated that it was a nice piece of property with frontage on Pleasant Street. Ms. Goodwin pointed out that the State right of way for Rte. 104 covers a good part of the frontage. She indicated that access would have to be off from the side road area. It was suggested it might make a good picnic area. Ms. Goodwin stated whatever the Commission decided to do would have to be maintained by the Commission so that should be considered.

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Mr. Brown suggested that this be a back-burnered as the Commission considers its properties and how to allow for public enjoyment.

Profile Falls property - Mr. Brown stated they were unable to find all the boundary corners but did see some of the Conservation disc markers. Mr. Batchelder reported that the snowmobile trail cuts right through the property and connects to the trail that goes down to Franklin. There was discussion about where this trail goes to the north and which snowmobile club would be maintaining this trail. There was further discussion about the proposed continuation of the Pemi Trail and if plans were to connect along Profile Falls Road. Ms. Goodwin checked the State Snowmobile Trails Maps and it looks like Corridor 11. It appears Alexandria Ledge Climbers may be the contact to get additional information about the trail that appears to go through this property.

Smith River Road Property - Mr. Brown reported that they did take a ride out there but could not find any information to validate that Conservation received any property in this area. He stated that he and Ms. Cote talked about recalling any of their prior discussions, but neither could confirm any specifics. Ms. Goodwin stated she researched minutes and found discussion about a property donation on Smith River Road but no specifics or actions regarding it. It was determined that more research may be needed or there may be a possibility that the transaction never was completed.

The Breck-Plankey Spring Protection Discussion – The Commission members discussed the possibility of moving toward property easements with property owner(s) located above the Spring to help protect that water source. Mr. Brown was willing to talk to Mr. Plankey about the possibility of purchase of property or protective easements for this purpose. There would be a need for a geologist to determine what area would need to be protected. There was some discussion of the Conservation Fund as a financial source and the process for adding any funds to it.

Mr. Brown asked about the current and 2023 budget and if there were other possible funding options to consider in regard to getting the mapping updates and possibly begin projects like property surveys or protecting the Spring.

He mentioned three projects to prioritize :

- Wetlands Overlay Mapping
- Surveying of the Conservation Property Boundaries
- Protection of Spring – Geologist or other professional

Mr. Metcalf asked what the costs might be as well as how big a project each might be. Ms. Goodwin mentioned that surveying of properties might be better to wait as there was still research pending for determination of what other properties may be Conservation Commission properties. Ms. Goodwin suggested that she could contact some Survey and Geologist companies to get an idea of costs. There was additional discussion regarding locating the source of the Spring and the property area owned by Mr. Plankey. Mr. Brown said he would begin discussions with Mr. Plankey.

BRECK-PLANKEY SPRING MAINTENANCE: Mr. Brown stated that the Highway Department did the patching of gravel along Lake Street and in front of the trough area at the Spring. He also reported that there was

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some activity by users, as shown by photos, where they were stacking sticks and branches. He stated this has been removed as the area where it was placed is right over the pipe and there was concern any more activity there could puncture it.

MINUTES:

After review, Mr. Batchelder motioned to approve the minutes of November 2, 2022, as written. Mr. Metcalf seconded. The motion carried 4-0-0. Site Visit minutes were not available, so these will be presented at next meeting.

COMMUNICATIONS:

NHDES – VIOLATION LETTER – LAND RESOURCE MANAGEMENT FILE #2022-02822 – Ms. Goodwin reported that a copy of letter sent to Brian and Karen Gallagher was received from the New Hampshire Department of Environmental Services (NHDES) for a Documented Violation for their property located at Tax Map #222, Lot #30 at Pemigewasset Shores Road. Ms. Goodwin displayed photos of the site work and driveway construction activity which was done without permits. The letter outlines the Shoreland, Wetland and other regulatory violations and remedial actions the property owners need to take to comply with the Land Resources Management laws, alteration of terrain, wetland, shoreland, and subsurface regulations.

The Commission discussed the ramifications for the property owners both in costs and compliance for conducting these activities without permits. Additional discussion followed to address a proactive way to educate property owners and contractors of Town and State laws and requirements that need to be complied with to develop properties. There was concern that certain contractors have continued to ignore regulations and in this case the property owners have incurred substantial additional expense. There was discussion of talking with the Select Board and other Committees about a Town sponsored education event for contractors, realtors, and others to reinforce that compliance is necessary. Mr. Brown and Ms. Goodwin will pursue this further with the Select Board.

FEMA MAPS REVISIONS – Ms. Goodwin displayed on the screen the received information, deadlines for comments or appeals, and updated maps to the Commission. The Commission members were asked to review the maps with any comments or questions before next week so that all other required response aspects can be done and to submit to Joanne Bailey by January 18th, with a deadline to FEMA by January 25, 2023. Only appeals supported by scientific or technical data will be considered.

CONSERVATION PAGES ON TOWN WEBSITE - Ms. Goodwin updated the Commission about work being done on their respective pages on the Town's website. She asked the Commission members for input regarding the Conservation Properties page. It was determined that a list of properties was sufficient for now and this could be linked to maps or have other information added for visiting the sites once the property research and boundaries work is finished.

COMMISSION MEMBER ITEMS: None

PUBLIC COMMENT:

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Mr. Brown asked Mr. Carleton if he had any comment or questions. Mr. Carleton expressed an interest in joining the Commission as an alternate. The Commission members welcomed this. Ms. Goodwin shared the application form information and counseled him that if submitted this week, his application could be considered for appointment by the Select Board at their next meeting.

NEXT MEETING: January 3, 2022

ADJOURNMENT:

With no other business, Mr. Metcalf moved to adjourn. Mr. Batchelder seconded. The motion carried 5-0-0. The meeting adjourned at 8:22 pm.

Respectfully submitted,

Janet Cote
Land Use Associate