



Canterbury Conservation Commission
Canterbury, NH 03224

Minutes, November 14, 2012

Present: Kelly Short, Ken Stern, Galen Beale, Steve Seron, Bob Fife, Linda Fife, Tom Osmer, Faith Berry, Jen Taylor

Absent: Fred Ficken, Teresa Wyman,

Guests: Steve Cochran, Dale Cochran, Daniel Geiger, Oak Hill Environment Services, Hillary Meeh, Ty Miller, Ginny Bouchard

1. Information Session on Robert S. Fife Conservation Area proposed Easement - Kelly and Ken

Kelly gave an overview of CCC acquisition of 89 acres around Kimball Pond and its management purpose. This is not a public hearing but an opportunity to get input into our proposal to put an easement on this property. An Easement doesn't define the day to day land use and she suggested there be a future meeting of the Commission, Agricultural Committee and interested citizens to further discuss the uses of the property.

Ken spoke of the development of easements over time and their content and purposes. Easements have been around since 1985 and in subsequent years, the specificity of these documents has grown considerably. The appeal of an easement is that the land remains privately owned, which the owner can use and sell. This particular property is owned by Town of Canterbury; some of the uses not generally allowed on easements are: subdivision, billboards, gravel pit, commercial/industrial uses, and signs. Easements do promote wildlife habitat, and non-motorized recreation uses of the property. Easements can contain structures. Much of the language of today's easement is about what to do when things go wrong.

While this document has not yet been completed, and a decision will need to be made as to whether the easement only covers the Robert S. Fife Field portion of the property, or is combined with the existing Kimball Pond Easement, Kelly asked if there were questions.

Comments from the audience: Steve C: Doesn't the current zoning limit the uses of this field? Answer: If the town sells the land, there could be two houses, or a school building.

Bob asked if the snowmobile trail on the property will remain. Answer: yes, as well as the right to hunt.

There was interest in discussing the current management practices on the field and Kelly said that that would have to be at a future meeting. Ken said that an easement is forever, so it tends to be silent on management uses.

Ty, the Selectmen will be the ultimate managers of the field, and would look for guidance from the CCC. The Forest Society will monitor and enforce the easement with the assistance of the Selectmen.

Faith brought up a bigger question asking that we work towards a clearly defined process on how the management uses of a property are defined and that these criteria be equally and fairly applied across all the easements. Kelly said that that discussion will have to wait for another time.

Kelly and Ken will continue to work with the Selectmen on this easement.

Steve, Dale and Ginny left the meeting.

2. Remediation Work off Asby Road. - Dan Geiger of Oakhill Environmental

Dan, a wetlands scientist, was presenting for Stanly and Bruce Olson, owners, after they received a letter of Violation from DES this September. The property is on Tax map 227, Lot 001. This approximately 560 acre property contains a low hazard dam on Runaway Pond. A woods road, running down the center of the property was installed about 38 years ago to conduct maintenance on this dam. The current owner wished to have better access to the dam and hired a contractor to improve the road to ease the state inspection process. The equipment operator was trying to keep costs down by using the existing fill. Two culverts were replaced, violating the Wetland Rules which require a permit for this work, and a Notice of Violation was issued.

Dan was called in and was at the Conservation Commission tonight to answer all of our questions, so he would not have to return later. He had met with Ridge Moth and Bill Thomas from the State, spoken to abutting neighbors and had begun emergency repair work already, hoping to finish the work in the spring.

Dan's first concern was to stabilize the area, but he will not be able to complete all the work because he needs a Dredge and Fill Permit which will take time to secure. Because the level in the existing ponds had been lowered considerably by the previous work, Dan has installed core logs to raise the water level. There will be more placements of logs to further raise the pond levels. Emergency erosion work has been done on the steep slopes on the property.

Dan said these are perennial streams that have been disturbed and the improved road bed is unnecessarily wide and the new material unstable and will need to be redone. The eventual roadway will be from 18-21' wide widening to 24' at the toe of the slope. The roadway will not be moved or changed. The total wetland impact will cover 1500' making it a minor impact project. Additionally Dan has applied for a Permit by Rule and will re-install two culverts. This is considered a Tier 1 project. Dan will make a berm 250-275 feet long and four feet high and wide.

The current and future work will be done using the current contractor and Dan's contractor, Mike LasQuague, of Shapeworks. There will be an engineer on site during

the process. Dan felt overall when the work is done, the wildlife habitat and wetlands will be improved.

Questions from those present:

Hillary Meeh, using the topo. map pointed to the area she is most concerned about. At the "Y", there has been a lot of fill added. Dan assured her that most of that fill will be removed as it is unnecessary and the fill immediately below the dam will be removed as well. Hillary said that some of the historic Shaker "ditches" had been filled in and asked if this would be removed. After discussion of the importance of trying to leave undisturbed this section of the Shaker's "Long Ditch" system, including the original "overflow" area, Dan thought it best to meet with Hillary and Tim and Jill in the field to further identify these ditches. Kelly said she had spoken to Mark Stevens about this.

Galen asked Dan that since he is continuing to use the original contractor, would he use this opportunity to educate this contractor on better practices. Dan said both crews are working well together and he hoped that this contractor would have learned better management practices when the work was finished.

Ken confirmed that the repair area will be less than 3,000' although the road is 5,400' from Asby Road. He questioned the need for such a substantial road for only dam inspections, and Dan said that the inspectors preferred to drive to the site, particularly if they are carrying repair equipment. Ken further asked if there were plans by the owners to continue to extend this road and Dan said that he believed that the sole purpose of this road was to access the dam on Runaway Pond. The concurrent logging operation was apparently a payment to the original operator. Dan felt he will complete this initial work in a week and the more scheduled for next year, pending permits, will take approximately two weeks. .

Dan ended his presentation at 8:15 and Hillary and Tim left the meeting.

3. Stewardship Committee - Tom

Tom reviewed the recommendations from the recent Stewardship Meeting, the minutes of which have been emailed to CCC members. Item four, the mowing of approximately 10 acres of the Riverland fields known as the Easement B area was discussed and the Stewardship Committee recommended that the field be mowed. The easement language was reviewed and discussed. The deed language states that if the landowner does not mow this piece within three years, the town can mow it. While the town has a right to mow, this is not a perpetual obligation. Ken reported on his visit to the field to see what was involved in mowing and reported that because the field had not been mowed for 3 years, there are some large, invasive shrubs growing in the field which would need to be dealt with, on an annual basis, if we hoped to keep the field open. A suggestion was made to the Selectmen that they reach out to the landowners and discuss this issue with them.

Faith brought up her earlier question of who decides on the use of our easement lands, or how we manage our properties. She argued for creating a document which will become part of the By-laws, that clearly defines a set process for deciding on the management of easements on both town owned and private lands. If we want to maintain

our properties, how will we fund this work? Kelly and Tom said that we are working towards that, but first we needed to finish the conservation lands mapping we are working on.

Further mowing of the Robert S. Fife Field was discussed. It was felt that the cows do not eat down the invasive and mowing is necessary. The recommendation that the field be mowed annually, up to the stone walls, necessitating the removal of the fence will be considered by the Selectmen. Kelly additionally questioned what to do about the two telephone poles currently in the field that were to be used for a sign.

Bob Fife asked about the whereabouts of the letter that he had written to Kelly to be given to the Selectmen wherein he laid out what is to be mowed and what is not. Kelly will get this letter back to Bob, and the recommendations will go to the individual who mows the field.

Ken Stern suggested we organize a winter outing with the community in January or February. Shaker Village was suggested as a site as they have good snowmobile trails. Kelly appointed Faith and Linda to organize this event.

4. Bob's Bench - Jen

Instead of a commemorative sign, the commission has decided, and funded a granite bench to be placed in the Robert S. Fife Field. This bench will be inscribed. Jen is in charge of this project and asked that the Selectmen sign off on the placement of the bench before she orders it. The North end of the field was chosen as the site. It was suggested that the bench could perhaps be placed on the land owned by the minister's house. This would get it away from the cows. Faith will discuss this with the Church community. The area will have to be cleared and maintained.

5. Permits received

A Shoreland Impact Permit was issued to Drouin Builders, Inc. for 2 Canterbury Shore Drive.

6. New Sign on Fish and Game Lane - Kelly

Kelly passed out for comment the design of the new sign proposed for the Riverland Road Fish and Game land. She would like comments sent to her by December fifth. The property will be known as "Muchyedo Banks".

7. Review of the October Commission Meeting Minutes

On a motion from Tom, seconded by Ken the October minutes were accepted with corrections. All voted in favor.

Meeting adjourned at 9:25 on a motion by Tom and seconded by Ken. All in favor.

Respectfully submitted,
Galen Beale, Secretary