

Conservation Commission - Town of Deerfield, NH
December 12, 2011 Minutes – As Amended – See *NOTE* Below

Members Present: Serita Frey, Kate Hartnett, Dave Linden, Herb McKinney, Wes Golomb
Members Absent: Erick Berglund, Diane Thompson

Approval of Minutes: The minutes of the November 14th meeting were unanimously approved.

Financial Officer's Report: In Erick Berglund's absence, Herb McKinney is performing in the capacity of Financial Officer for the months of December, January and February. The budget balance stands at \$1086.52 and the balance of the Conservation Fund at the end of November was \$390,013.80 which includes interest of \$47.22.

Land Conservation:

Project #25: The easement document has been completed and sent to town counsel for review. Attorney Raymond has forwarded his suggestions to Bear Paw's attorney, and Serita anticipates wrapping up this easement by the end of the year.

Project #26: Discussion of this project has resumed in light of new information with respect to prior access issues. The owners have sought the advice of an attorney to clarify whether they have legal access to this property via Dow Road. If so, this property would provide a valuable link to the abutting Wells Town Forest. The members speculated whether the entry point would take the traditional route from Swamp Road, from Mt. Delight, or potentially from both directions, possibly becoming a thru road. Kate Hartnett expressed a need to clarify the point and Wes Golomb felt we should be proactive and ask the owners what they understand the access to be. Costs of this project were reviewed and Serita Frey reminded the members that our funds are limited and this project must be weighed against a number of others, including a newly proposed 75 acre property with a large wetland and having significant road frontage raising concerns about potential development. A match or a donation would strengthen any discussion.

Project #27: The owners are still checking into their options on this 75 acre property which includes prime pasture and could provide a corridor between Bear Brook and Pawtuckaway. Some recent logging has taken place. Mention was made of past efforts by property owners to combine easements in order to create corridors.

Questioned about the feasibility of placing a warrant on the 2012 ballot, Serita Frey responded that we were not far enough along in the decision-making process and that we first needed to complete the Town Forest Protection project. Kate Hartnett suggested initiating a public education campaign leading up to the approval process, which led to a discussion of possible updates to our web page on the town website. Links to the trails maps and related photos by Wes Golomb could be included to spark interest in town residents. Wes offered to download some of these shots onto a disk for members to review.

Town Forest Protection Project:

Serita Frey has received a reply from Leslie Boswak, Town Administrator, answering her questions about the bidding process as it relates to DCC's "Request for Proposal" (RFP) letter to be sent to various land protection organizations. In addition to the letters being directed to the four or five land trusts in the region, other organizations could contact the town as well. The process consists of setting the bid specifications, after which they are posted at the town offices, on the town website, and in one local newspaper or media of general circulation, to solicit bids. Serita Frey and the clerk will coordinate the mailing of the RFP's after the first of the year.

Regulated Wetlands:

DCC is in receipt of a DES-approved *Shoreland Impact Permit #2011-02769*, subject to certain project-specific conditions, for property at **2 Loon Ledge** for the reconstruction of a dwelling replacing a previously non-conforming house destroyed by fire. No further information has been received regarding the disposition of their *Wetlands Permit by Notification #2011-02799* for retaining wall repair/replacement which would have expired on 11/23/2011.

Last month DCC was copied on a DES notice to the owners of the **3 Scott Lane** property requesting additional information following its review of their *Shoreland Protection Application #2011-02137*. A copy of correspondence dated 11/28/2011 indicates that DES has since approved the application for the new dwelling and storm water controls, subject to certain project-specific conditions. It is assumed that a new plan had been submitted to DES, resulting in the 11/28 approval. Unlike the process for Wetland applications, DCC is not given options for input by DES for *Shoreland* applications. An opportunity to register objections would only be available if the owners find it necessary to apply for a variance to the Deerfield Zoning Board of Appeals as the project relates to the *Pleasant Lake Watershed Overlay*. If so, it is important that a representative of DCC be present for input. Kate Hartnett will speak with the Building Inspector and request that DCC be notified of any ZBA activity on this project. DCC has also received a copy of a DES response, dated 11/1/2011, to the owner's *Dredge and Fill Application #2011-02601* requesting additional information as it relates to the seasonal dock installation and replacement of the rip-rap shoreline. Failure to respond by 12/31/2011 will result in a denial.

DCC has received a copy of an 11/11/2011 owner's response to a *Request for More Information* from the DES Wetlands Bureau as it relates to their *Minor Impact Dredge and Fill* permit application, *DES File #2011-02025*. The application is being made for property at **Meetinghouse Hill - Map 209 Lots 8 and 10**.

Notification has also been received from DES of a *Standard Dredge and Fill Application, DES File #2011-02869* for property identified as **Map 413 Lot 7**. This application replaces a previous permit, #2005-00425.

Browns Mill Easement:

The commission approved a motion to forward a letter to the Planning Board, outlining DCC's objections to the proposed conservation easement created for this subdivision off Mount Delight Road. Kate Hartnett pointed out that Brown's Mill makes the farthest incursion into the headwaters of the Lamprey of any other road. The easement, as proposed, lacks potential as a conservation property in spite of the fact that it abuts the Wells Town Forest. Ms. Hartnett suggested that deed restrictions to a delineated area would have been a better alternative, placing the burden of oversight, stewardship and their related costs on the individual owners rather than the town. Although the subdivision has been approved, it is believed that funds are still being held in escrow for the road. It was also noted that NH Fish and Game had previously requested an easement for access into the Corey Wildlife Refuge. Serita Frey will copy Fred McGarry, Jerry Coogan and Frank Mitchell on the letter via e-mail.

Old Business:

Clifford Easement: Serita Frey spoke with Frank Mitchell regarding hunting on the Clifford easement and was informed that the easement stipulation requiring *Hunting by Permission* was not intended to be used as a blanket denial to hunt as indicated by the current posting. Frank has spoken with the Cliffords and was informed that the current posting was the result of an encounter with hunters unwilling to cooperate with the reasonable requests of the owners. Frank Mitchell will continue to monitor the situation and follow up on the change in posting back to *Hunting by Permission Only*. Kate Hartnett offered to write up the criteria she uses for hunting on her property and suggest it to the Cliffords as a means of providing a form of regulation. She

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noted that responsible hunters would, in fact, be advocates of those regulations, resulting in a more self-regulating, well-managed area.

Forest Management Plan: Kate Hartnett reported on her conversation with Charlie Moreno relative to his assessment of the town forests. He has agreed to move forward on the Dowst-Cate Town Forest and Park followed by the Freese Town Forest.

DCS/Ellen O'Donnell: Kate Hartnett informed the members of Ellen O'Donnell's intention to involve the students in her 7th grade Deerfield Community School class in the clean-up of the trail through the Lloyd Hart Town Forest at Griffin Road. She will follow up with Kate when the project is completed.

New Business:

Kate Hartnett reported that Al Jaeger, stewardship monitor for the Burbank easement, would be actively working with Patrick Kenney of Fort Mountain Companies, on a timber harvest to be undertaken on the property.

In light of recent information about the kiosk at the entrance to the trail at Great Brook, it was suggested that Kate Hartnett and Al Jaeger offer a revision of the current posting in order to provide an accurate, historical context for the trail.

Wes Golomb, one of two representatives from Deerfield, would be attending the second meeting of the Lamprey River Watershed Advisory Committee on Tuesday evening.

Kate Hartnett will be contacting the Communicator to request that DCC be included in their list of boards/committees in future issues.

Suggested topics for discussion at future meetings included land protection and a call for volunteers to work on improving and cleaning up trails.

Serita Frey will once again be drafting a letter to the Therriens, requesting they remove debris obstructing the entrance to the Lindsay easement. Kate Hartnett suggested that the most recent copy of the Open Space Plan be located and placed in the DCC's filing cabinet and that additional copies of the plan be printed.

Announcements:

Serita Frey informed the group that she would not be available for the regularly scheduled January 9th meeting and asked if they preferred to meet in her absence or postpone the meeting until **January 16th**. The group decided the meeting should be rescheduled and the clerk was directed to post notices to reflect the change.

Adjournment: 9:15 PM

NOTE: The minutes of the December 12th meeting were conditionally approved at the January 16th meeting with the following additions/corrections: The approval to purchase 5 copies of the Open Space Plan was not recorded in the December minutes. Herb McKinney had been directed to procure as many copies as the balance in the supplies line would reasonably allow. Herb McKinney and Kate Hartnett did recall that a vote had been taken, however, in the absence of a recorded account of the vote, the membership once again voted to unanimously approve the purchase. In addition to the previous omission, Erick Berglund's name was incorrectly listed among the members present and should have been noted as absent.

The draft minutes were prepared and submitted by Judy Marshall. Final revisions to these minutes will be contained in the minutes of the following meeting, after approval by the Deerfield Conservation Commission