

DEERFIELD CONSERVATION COMMISSION

1967 - FIFTY YEARS AND COUNTING - 2017

Meeting Minutes – October 16, 2017

**Members Present:** Erick Berglund, Serita Frey, Wes Golomb, Kate Hartnett, Ben Minerd

**Members Absent:** Haley Andreozzi

**Visitors/Guests:** Susan Seitz, Peter Van Berkum, Sylvia von Aulock

At 7:10 pm Chair Serita Frey called the meeting to order and made introductions.

**Wetland Disturbance:** Resident Susan Seitz reported a **possible wetland violation** resulting from the ongoing filling-in of an area on an abutting parcel. The area was estimated to be approximately 10 x 20 feet and previously flooded 80% of the year. Photos show slash from recent tree cutting has been discarded on the area.

In order for DES to evaluate the situation, **Ms. Seitz will file a formal complaint with DES and email a copy to DCC. DCC will proactively call David Price at DES to request a joint DES/DCC site visit.**

Ms. Seitz was also referred to Selectman Fred McGarry to discuss a **disputed report of a possible subsurface system permit violation** on the abutting parcel. Mr. McGarry, a licensed septic designer, is familiar with the approval process and DES records management. DCC was previously copied on a notice and a follow-up response regarding the issue referenced in **Land Resources Management File #2017-02453.**

**Proposed Pond:** Resident Peter Van Berkum approached the DCC for input regarding plans to dig a **pond adjacent to an existing wetland**, on a recently-purchased 44 acre parcel of land, which is an addition to his existing nursery. The proposed **pond would be located 15 feet from a wetland located between the nursery's two parcels.** In addition to recycling the pond water for irrigation, it would receive run-off from the recently cleared site and divert any pollutants (fertilizer/chemicals) from entering the wetland. There would be no disturbance to the wetland itself aside from the disturbance of the buffer area resulting from the cut. Mr. Van Berkum referred to aerial photos of the area, indicating that the pond would be **located at a point on the property to which the existing topography and engineered swales would carry the flow.** A previously dug pond on the nursery's other parcel was created with input from the *Natural Resources Conservation Service* (NRCS), and in addition to capturing run-off, recycles and provides 1/3 to 1/2 of the water used for irrigation.

A **wetland engineer will delineate the wetland** to confirm that the pond will be located outside the wetland perimeter. Mr. Van Berkum will update the DCC when Tobin Farwell, the engineer evaluating the wetland, has completed the survey.

**Zoning Amendment/Wetland Buffers:** Members discussed a proposal to amend Deerfield's zoning regulations with respect to wetland buffers. Deerfield Planning Board Planner, Sylvia von Aulock noted that Deerfield's current zoning regulations limit DCC's ability to respond to the two previous visitors who requested guidance with wetland impact issues. **Deerfield zoning currently provides for structural setbacks, but setbacks are not buffers, and current Deerfield zoning does not address what is allowed in wetland buffer areas; the area located between a structure and a wetland.** Ms. von Aulock is leading outreach to other town boards and commissions to review Deerfield wetland zoning regulations. The goal of any changes is to build on previous work to protect water quality by maintaining low vegetation between upland and wetland that removes pollution before it reaches surface waters.

Based on a review of wetland regulations adopted by other communities, **members suggested the creation of two categories; Wetlands, and Inland Streams.** *Wetlands* would be defined as a group to include *Poorly Drained* to *Very Poorly Drained Soils* and *Vernal Pools*. *Inland Streams* would be as designated by USGS map. **The proposed amendment to current zoning would create a no-cut/no-disturbance area within the**

**DEERFIELD CONSERVATION COMMISSION**

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Meeting Minutes – **October 16, 2017**

**buffer zone.** Requests for waivers would go through the Planning Board and could be coordinated with recommendations from the DCC. Provisions for appropriate plantings, conditional use permits and mitigation could also be addressed in the ordinance. **It is anticipated that DCC will work to educate residents on the proposed ordinance.**

**DCC will reschedule its regular meeting for November to the 6<sup>th</sup>** at which time members will review a draft of the **amendment to be presented to the Planning Board on November 8<sup>th</sup>** in advance of its public hearings. In the interim, Serita Frey will call **John Duffy of the Pleasant Lake Preservation Association** and Wes Golomb will contact the **Lamprey River Watershed Association to offer an opportunity for input.** The clerk will also gather additional zoning data from neighboring towns of Candia, Northwood, Nottingham, Raymond, Epsom, Allenstown and Auburn.

**Approval of Minutes:** A motion by Chair Serita Frey to approve the **minutes of the September meeting** was followed by a second from Wes Golomb, and approved with Kate Hartnett abstaining.

**Finance:** Erick Berglund reported he has not received the Conservation Fund balances for July, August or September from the Treasurer. The **balance as of June 30<sup>th</sup> was \$323,109.15.**

The 2018 **budget has been approved in the amount of \$3051.**

Serita Frey moved to **approve a payment to NH Association of Conservation Commissions for 2018 dues in the amount of \$333.00.** The motion received a second by Kate Hartnett and was approved unanimously.

**Easements & Land Protection: Project #31:** No update.

**Town Forest Protection – Boisvert Town Forest:** The **survey is still pending.** Serita Frey will touch base with Dan Kern regarding the **proposed changes to the draft easement deed.**

**Easement Monitoring/Stewardship:** Final arrangements for monitoring of Great Brook and the Curry easements are still pending.

**Education Grant Opportunity:** Serita Frey attended an informational session for the collaborative project between DCC and Ellen O'Donnell's 7<sup>th</sup> and 8<sup>th</sup> grade students at Deerfield Community School (DCS). The project is being funded with a recently-awarded grant from the NH Association of Conservation Commissions. Future meetings between students, DCC members and other volunteers are anticipated as part of the project. **A student work day on the Lindsay-Flanders trails, guided by volunteers, was proposed.** Serita Frey will contact Frank Mitchell and request ideas for student-assisted activities. Ms. O'Donnell, will be informed that hunting is allowed on both the Dowst-Cate and Lindsay-Flanders parcels.

**Regulated Wetlands:**

According to the minutes of the September 27<sup>th</sup> Planning Board meeting, **Eversource was granted a Conditional Use Permit for maintenance work on its C129, 307 and 391 lines.** A bond for the work was a condition of the permit. Note: Eversource representatives previously met with DCC members on August 21<sup>st</sup> at which time it was suggested that they apply to the Planning Board for a Conditional Use Permit for the proposed work.

**DEERFIELD CONSERVATION COMMISSION**

***1967 - FIFTY YEARS AND COUNTING - 2017***

Meeting Minutes – **October 16, 2017**

**Northern Pass Project:**

**DCC was copied on an Eversource ...“notification under Specific Condition 2 of Wetlands and Non-Site Specific Permit 2017-01534 that work authorized under this permit is planned to start on October 13, 2017”.** The certified mail notice from Eversource representative, GZA GEOENVIRONMENTAL, INC., was dated October 5, 2017 and was intended to meet the **required 5 business day notice prior to starting work** authorized under the above-referenced permit.

The clerk was asked to contact GZA and request that she be copied on email correspondence to DCC, in addition to Serita Frey. The clerk will also **request the name of the Eversource representative overseeing any wetland related work in Deerfield for the Northern Pass project.**

A motion by Chair Serita Frey to **adjourn the meeting at 9:20 pm** was seconded and approved unanimously.

**The next meeting is scheduled for Monday, November 6, 2017**

*(Please check the website for scheduling changes)*

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