

DEERFIELD CONSERVATION COMMISSION

1967 - FIFTY YEARS AND COUNTING - 2017

Meeting Minutes – May 14, 2018

Members Present: Erick Berglund, Serita Frey, Kate Hartnett, Ben Miner

Members Absent: Haley Andreozzi, Wes Golomb

Guests: *Eversource Energy* Representatives: Matthew Cardin, Tom Sullivan, Maria Letourneau and Matthew Flanders

Tighe&Bond Representative: Daniel Rukakoski

Dan Kern, *Bear-Paw*

Visitors: Joan Bilodeau, Phil Bilodeau and Jim Page

Serita Frey called the meeting to order at 7:04 pm followed by introductions of visitors and guests.

Matthew Cardin, Environmental Permitting Coordinator for Eversource Energy, and Daniel Rukakoski, Vice President, Tighe&Bond Engineers/Environmental Specialists, presented information about Eversource's pending application for a Conditional Use Permit (CUP). Members reviewed site maps highlighting the areas of anticipated wetland impacts. The proposed structure replacement project is for transmission line maintenance on Eversource Energy lines 373 and 391 including the replacement of two structures, STR 178 and STR 185. Work will be conducted at two locations on a 48 acre Eversource-owned parcel, Map 416 Lot 062, North of Mountain Rd. and Southwest of Nottingham Rd, and will require temporary impacts to wetlands.

In preparation for the meeting, DCC members Kate Hartnett, Haley Andreozzi and Erick Berglund, Deerfield Planning Board member Dave Doran, volunteer Jim Page and abutter Bill Duchano made a **site visit to the Deerfield, Cate Road substation on May 7th** to review the performance of a 2017 Eversource CUP project.

A summary of their findings follows these minutes.

Discussion included the following:

WHAT/WHERE/WHEN:

- Part of a larger Eversource project extending from the Derry substation to Rochester
- Replacement of two rotting wood structures with weathered steel structures of similar form
- Structure 185–drilled (Mountain Rd site) and structure 178–guyed(Nottingham Rd east of Cate Rd site)
- Drill depth (10% of structure height plus 10 feet)
- Work beginning in September with an anticipated week-long outage beginning approximately 10/1

HOW:

- Use of a track-mounted drill rig transported to, and located on, the matted work pad (considered the temporary impact area)
- Mountain Rd. replacement will require a scheduled outage; Nottingham Rd. will not
- Only limited authority given to contractors for potential on-site field changes (Eversource approval)

CONDITIONS, ACCESS & SITE PREPARATION:

- Wetland areas range from seasonally saturated to inundated (presumed beaver activity)
- Primarily using existing access roads & already disturbed roads (snowmobile/4 X 4 trails) located within the Right-of-Way
- Review of location of timber mats and method of matting to be used; mats to be placed in wetland but not beyond proposed areas
- Nottingham Rd site requires two wetland crossings (one existing/one to be created) and a larger work pad than the Mountain Rd. site

WILDLIFE & VEGETATION:

- Wildlife information was absent from the application (not standard Eversource practice to include per rep.)
- Use of wildlife monitors (only if required under the state regulatory framework)
- Instructions and pamphlets given to contractors if wildlife is encountered (stop & call procedure)
- Stressed need to safeguard Turtle Nesting activity and Black Racers

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- Use of erosion and sedimentation control
- Reclamation procedure: smooth/much/seed & stabilize after mats are removed
- Minimize the introduction and deter spread of invasives (no active practices other than avoidance and clean-up; specifically equipment wash-down/blow-down). Existing stands of phragmites noted.

OVERALL CONCERNS:

- History of poor performance & practices on previous Eversource projects over the years
- Historical evidence of excessive matt use
- Management of spoils (performance rated D+ based on previous project). Needs VAST improvement
- No BMP's were included with the application
- No information regarding construction practices were included
- Generic nature of the application
- Lack of communication among contractors
- Safety concerns (unfilled, open excavations and hazardous debris left behind after project completion)

Serita Frey suggested that Eversource plan for a similar discussion before the Planning Board. **Mr. Rukakoski proposed the possibility of submitting a revised application prior to meeting with the Planning Board to address information absent from the application, and the concerns raised at this meeting.** Mr. Cardin will also speak with Mr. Page regarding the noted inadequacies of their construction management practices and other related concerns.

Ref. Pages 4 & 5 attached below: Notes of the May 7th field inspection of a 2017 CUP work site at Deerfield substation

In a follow-up of the meeting, Kate Hartnett also offered the following assessment of the Tighe&Bond CUP application on behalf of the DCC, to be shared with the Deerfield Planning Board, prior to its May 23rd meeting with Eversource:

“Ironically based on the field report above, NO Best Management Practices are included in the application.

Also, there is no site specific plan detail provided, but rather a collection of typical designs that do not specify structure and construction techniques to minimize environmental impact by addressing site conditions. In general, the application is generic, and does not address any of the issues identified above”.

Election of Officers for 2018 - 2019: A motion by Kate Hartnett with a second by Ben Minerd **to retain the current slate of officers** (Serita Frey, Chair and Erick Berglund, Treasurer) passed unanimously.

Project #31 – Marston Farm: Dan Kern spoke with Gile Beye regarding **Town access to the 128 ac donated parcel.** Both Nottingham Rd. and Perry Rd. have woods roads that currently supply access to the area. The 50 foot wide, ~1750 foot long strip of land originally designated as access is heavily wooded and impractical to use. Ms. Beye has suggested deeding an access easement to the Town on the logging road off Perry Rd. which is on the 38 acre parcel. **Dan Kern, Kate Hartnett, and Serita Frey will arrange to meet with Gile Beye and Sean Labrie to discuss the access arrangement and to finalize the deed language, after which the deed will be sent to LCHIP for their review.** Mr. Kern noted that the Charitable Trust Division of the NH Attorney General's Office is currently reviewing the deeds to both the 128 and the 38 acre parcels. Kate Hartnett will confirm that both the Planning Board and the ZBA have approved the subdivision of the 166 acres.

Town Forest Protection – Boisvert Town Forest: Mr. Kern has added the *trails* language as proposed by Ms. Hartnett, reinserted section *IH* which was omitted, and will confirm the accuracy of the written property description in *Appendix A*. Mr. Kern will be providing paper copies of the survey to the DCC.

Easements and Land Protection

Project #35: Members were reminded of the **June target date for Dan Kern to submit the LCHIP application** for the project. Serita Frey has asked that the members **be prepared to make a final decision at the June 11th regular meeting** on whether DCC will partner with Epsom on this project, and if so, to what extent. Mr. Kern will gather additional information and provide a larger map of the area for reference.

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Approval of Minutes: A motion by Serita Frey to approve the **minutes of the April 9th regular meeting** was followed with a second by Ben Miner. The motion passed with Erick Berglund abstaining. Kate Hartnett seconded Chair Frey's motion to approve the **minutes of the May 7th Special Meeting/Site Visit**. During discussion on the motion, Ms. Hartnett noted a conflict in the recollections of the visit by those present on May 7th. Ms. Hartnett suggested **approval, subject to the inclusion of the proposed revisions**. The motion passed with Ben Miner and Serita Frey abstaining.

Finance: Mr. Berglund presented the month-end balances in the conservation fund as follows:

January: \$354,115.42 – Includes Land Use Change Tax of \$3805.00 (DCC 50% portion) & Interest of \$74.53

February: \$404,186.41 – Includes the \$50,000 anonymous grant for the Marston Farm project & Interest of \$70.99

March: \$404,967.42 – Includes an unidentified deposit in the amount of \$695.06 and Interest of \$85.95

Announcements/Correspondence/Reminders:

BOS Quarterly Update: Serita Frey appeared before the BOS at its May 14th meeting to update the members on DCC's activities and accomplishments for the first quarter of 2018. Based on the presentation, the BOS has requested additional information on the proposed NHDES revisions to the New Hampshire wetland rules. Chair Frey will ask Haley Andreozzi to prepare a summary about the current status of the legislation.

Serita Frey has received a **request from John Gunn, Forest Research Management Professor at UNH**, to be allowed access to portions of the Dowst-Cate Town Forest as part of his **survey of relic stands**. The survey evaluates the degree to which forest management activity may be contributing to the spread of invasive species and their impact on these old growth stands. Field activities could include basic forest measurements. It was suggested that the *National Heritage Bureau* be contacted prior to the proposed research.

Southern New Hampshire Planning (SNHPC) has submitted the most recent version of the *Parcels within the Green Infrastructure, with updated parcel lines*. The map is one of a series of maps that were included in Deerfield's 2010 *Open Space Plan* which is part of the *Deerfield Master Plan*. Kate Hartnett has passed copies along to volunteers Linda Lee and Mirjam Ijtsma for their review in conjunction with the ongoing update of the Deerfield 2010 Open Space Plan.

Kate Hartnett submitted **two photos (see attached page below) commemorating three decades of land conservation work in Deerfield**. The first photo, taken in 1991, shows Kate Hartnett, Al Jaeger and Frank Mitchell installing the LCIP sign at the entrance to the Great Brook Trail, following completion of the 750 acre conservation project, funded in part by the NH Land Conservation Investment Program (LCIP). The second photo, taken in 2018, re-enacts the sign-hanging, and shows the now-fallen birch tree that held the original sign, at their feet. Happy to report that none of the "hangers" in the photo have yet succumbed to the fate of the birch!

Chair Frey adjourned the meeting at 9:14 PM.

The next regular meeting is scheduled for Monday, June 11, 2018

(Please check the website for scheduling changes)

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These minutes were prepared and submitted by Judy Marshall. Revisions, if any, will be contained in the minutes of the next meeting. If amended, a revised version will be posted to the website, after approval by the Deerfield Conservation Commission

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Photo: Dan Habib/SPNHF



Photo: Racheal Stuart

Left to Right: Al Jaeger, Kate Hartnett and Frank Mitchell

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NOTES from DFLD CONS COMM (DCC) FIELD INSPECTION SPECIAL MEETING on 7 MAY 2018, 4-5 PM RE: Dfld Planning Bd (DPB) EverSource Conditional Use Permits (CUP) 27 Sep 2017

ATTENDING: for DCC Kate Hartnett, Haley Andreozzi, & Erick Berglund; for DPB Dave Doran; volunteer Jim Page; abutter Bill Duchano

BACKGROUND: The site visit was arranged by DCC after reports of numerous issues summarized in the attached DCC memo of 20 Dec 2017, prior to Eversource returning for another CUP. They are scheduled to attend DCC on 14 May and DPB on 23 May 2018.

CONDITIONS OBSERVED AT STRUCTURE 3 OFF CATE ROAD can be summarized as practices and BMPs for EROSION CONTROL were apparently “TOO LITTLE, TOO LATE.” It appears that rather than using screw anchors to tie stay cables and to minimize site disturbance in the wetland, contractors dug trenches and installed dead men weights to stabilize the pole anchors. As a result, on 7 May 2018, we observed:

- (1) Apparent over matting and crushing of vegetation around Structure 3.
- (2) Wetland terrain overly disturbed and altered by the digging.
- (3) Silt sox & some straw placed at the base of the support cables, after complaint documenting erosion and siltation, sometime between 14 Dec 2017 and 15 Feb 2018 inspections by Keach Nordstrom (KNA) for DPB.
- (4) Extensive areas of spoil and fines eroding into the stream adjacent to the work area, outside the silt sox and straw.
- (5) Ineffective remnants of old woven mesh silt fence along the access road before the stream crossing. One water bar was in place.

RECOMMENDATIONS: We Deerfield volunteers jointly respectfully suggest:

(1) PROVIDE A WRITTEN PLAN: Prior to approval of any future CUP, Eversource provide to DPB, DCC, and abutters a clear written process with specified chain of responsibility to ensure:

- a) Equipment is specified and work scheduled, and adjusted, to minimize wetland and wildlife impact.
- b) Environmental monitors for wetland and wildlife protection are on site based on temperature, weather, and ground conditions, not just calendar dates, with authority to stop work immediately if needed. Provide a written report after work is completed.
- c) Invasives are identified prior to any work commencing, and all work is conducted using practices to ensure no spread (per stated Eversource policy).
- d) Any old flagging is removed, and fresh flagging clearly delineating wetland areas is maintained throughout the project.
- e) BMPs and Storm Water control plans as specified are placed before any work commences, and effectiveness is maintained throughout the project activities.
- f) The access routes selected minimize wetland impact from unnecessary matting.
- g) Contractors are oriented and supervised by identified and qualified Eversource staff.
- h) Restoration is completed and documented immediately after work is completed, and inspected to be sure it is functioning as seasons and weather change.

- i) Traffic management and equipment parking do not impede Town roads.

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(2) INSPECTION: KNA inspect and report to DPB & DCC, before, during and after field work, documenting compliance with the written plan.

(3) OUTREACH: DPB, DCC, and abutters be informed by email of work schedule, and status, before, during and after the project.

(4) ESCROW AND BOND: Amount determined by DPB and posted before work begins.

COMMENT ON TIGHE & BOND CUP Application of 4 April 2018 for DCC on 14 May and DPB on 23 May 2018:

Ironically based on the field report above, **NO** Best Management Practices are included in the application.

Also, there is no site specific plan detail provided, but rather a collection of typical designs that do not specify structure and construction techniques to minimize environmental impact by addressing site conditions.

In general, the application is generic, and does not address any of the issues identified above.