

**DEERFIELD CONSERVATION COMMISSION**  
**1967 - FIFTY YEARS AND COUNTING - 2017**  
Non-Quorum Discussion Summary – **February 11, 2019**

**Members Present:** Haley Andreozzi, Erick Berglund  
**Members Absent:** Brian Adams, Serita Frey, Wes Golomb  
**Visitors & Guests:** AJ Bruno (Resident), Matthew Cardin & Elise Ward (Eversource),  
Lenny Lord (Tighe & Bond)

Haley Andreozzi opened with introductions. **Although a quorum was not present, representatives from Eversource and Tighe & Bond were encouraged to move ahead with their previously scheduled presentation** which would be recorded and available for viewing by the public and absent members of the DCC.

**Eversource Energy:**

Matthew Cardin and Elise Ward summarized an application for a Conditional Use Permit (CUP) Eversource will be seeking from the *Deerfield Planning Board* at its February 27<sup>th</sup> meeting. The permit would allow for temporary impacts to the *Town of Deerfield Wetland Conservation District* (see Section 210 Deerfield Zoning Ordinance). In conjunction with the above CUP, Eversource has filed an application for a *Major Impact Wetlands Permit* with the NHDES. Although this work is not proposed for those poles situated directly in the wetlands, the application seeks access to *...structures which traverse several jurisdictional wetland areas.*

The proposed maintenance work in Deerfield would take place within existing ROW's on lines 373 and 391 from the Deerfield town boundary with Raymond and Candia to the Cate Rd. substation, continuing on lines 385 and 391 from the substation to the Northwood town line. The entire project runs from Derry to the Maine border. A previously completed phase of the project involved a helicopter drop of grounding wires to each pole. The anticipated start date would be spring/summer 2019.

**From its applications, the work is described as** *“The installation of grounding rings at 111 utility pole structures along a portion of Line 373/385/391. The proposed work is necessary to maintain the safety and reliability of the existing transmission system. Access is required within jurisdictional wetland areas. Wooden or plastic construction mats and/or a small tracked excavator will be used to access the structures”.*

Eversource anticipates the temporary impacts from timber and plastic matting, a small tracked excavator, stream spans, and excavations around the poles to accommodate the grounding rings, will be 47,478 square feet.

Representatives answered members' questions regarding best management practices including use of the least impactful access routes (existing ATV and other trails), minimization of impacts (use of small tracked excavator, plastic mats, erosion/sedimentation control) avoidance of sensitive areas (hydric soils, wetland vegetation, invasive species, vernal pools), promoting awareness of and avoiding disturbance to threatened and endangered species (black racers, hog nose snakes, Blanding's and spotted turtles), contractor education/monitoring (species identification cards, weekly site visits & deficiency identification), restoration of disturbed areas (rut repair, backfilling, seeding and mulching), and public outreach (abutter notifications, door-to-door, contractor letters of introduction).

DCC intervention in a 2018 CUP resulted in improved practices and protocols on the part of Eversource. **Members, especially those who were not present tonight, are asked to view the on-line meeting video and email Mr. Cardin with any questions they may have. Although this was not an official meeting of the DCC, and the DCC acts in an advisory capacity only, individual members are encouraged to pass on any comments they have to the Planning Board.**

**Visitors:**

**Deerfield resident A.J. Bruno** expressed his interest in becoming involved with the DCC. Since his current work schedule necessitates putting potential membership on hold until a later date, it was suggested that volunteering for the DCC could be an alternative in the interim. Mr. Bruno's previous involvement in conservation has been volunteering with the *Society for the Protection of NH Forests* and the *Appalachian Mountain Club*, and he now wishes to become active at the local level. Mr. Bruno has been following the progress of the Northern Pass Transmission project, and also joined in conversation about the Eversource CUP application.

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**Project #31 – Marston Farm:** Dan Kern continues to work toward approval by LCHIP and the NH Attorney General's Office for the Bear-Paw overlay easement on the 128 acre parcel. **DCC review/approval of both the draft overlay easement deed and of the draft LCHIP executory interest deed will be on the March agenda.** Details for a public access plan still need to be developed.

**Project #35 – Epsom/Deerfield:** There was no word from Dan Kern regarding the counter-offer of \$62,500 for the backland. Dan Kern will endeavor to keep the LCHIP grant alive in the interim. **To date, DCC has not formally approved (by vote) any offers that have been part of these informal negotiations.** In September 2017, DCC approved payment of \$950 representing 50% of the cost of an appraisal. **A review of DCC's process for project-related approvals will be on the March agenda.**

**Project #37 – North Rd (50 Acres – Map 208 Lot 5):** Dan Kern has forwarded the **appraisal for this parcel to DCC for member review.** Mr. Kern also informed DCC of a **potential donation of the North Rd. property from the owner to Bear-Paw once the conservation easement is in place.** It is anticipated that a new easement holder would need to replace Bear-Paw at that time. A motion to pay a budgeted amount of \$18,000 to cover transaction costs for the project was approved in October 2018. **In addition to a discussion of the 20190121 draft easement, a review of this project in light of the above new information will be on the March agenda.**

**Project #38 – Raymond Rd:** The **appraisal of the four parcels that make up this project has been completed.** **A discussion of the results will be on the March agenda.** A budget has not yet been developed for this project; however, DCC previously approved payment of \$2,400 to cover 50% of the survey of the land around the house. Payment is currently pending.

**Members should review the two appraisals for projects #37 and #38 and the combined summary sheet for further discussion in March.**

**Edythe H. Boisvert Town Forest:** The BOS signed the easement to Bear-Paw on January 28<sup>th</sup>. This completes the conveyance of a conservation easement to Bear-Paw that permanently protects this town-owned parcel. Town Forest status and the conveyance of a conservation easement on it were approved by voters in 2014. **Recording of the easement deed is pending Bear-Paw signatures.**

**Approval of Minutes:** **Approval of the January meeting minutes: tabled till March** for lack of a quorum.

**Finance:** **The balance in the conservation fund at the end of December was \$181,967.24.** Although the full January report was not available, Erick Berglund reported that 4<sup>th</sup> Quarter Land Use Change Tax (50% portion) in the amount of \$4,605 was being deposited to the account. **A more complete report will be given in March.**

**Conservation Fund:** A review of DCC's pending obligations revealed the following:

**Marston Farm – 128 Ac**

- \$1,000 Legal
- \$150 Recording

**Mathes – North Rd Project #37 (50 Ac)**

- \$18,000 transaction costs (Approved by vote in October 2018)

**Mathes – Raymond Rd Project #38**

- To be determined: No budget for this project (Scope and nature of project not yet defined)
- \$2,400 – Survey of land surrounding the house (Voted to pay 50% of survey cost –October 2018 meeting)

**Project #35 (Backland)**

- To be determined – Dependent on negotiated acquisition cost
- \$69,000 Per interim budget based on an acquisition cost of \$75,000 and after application of grants

**Easement Monitoring:** Efforts to monitor the Merrill (Kay Williams), the Curry easements, and the last of the Great Brook parcels will resume in spring.

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**Regulated Wetlands & Shorelands:**

Town planner Sylvia von Aulock notified DCC of two legislative proposals

- HB 542-FN-A Establishing a grant program to support municipalities in updating their wetlands regulations
- HB 543 setting a statewide 50' buffer for wetlands in NH

**Ms. von Aulock is scheduled for the March meeting.** DCC plans to pick up a discussion tabled last year that would further define Deerfield's current 100' wetland setback by considering a "no disturbance" zone within the buffer. **In her 7/24/2017 email, Ms. von Aulock also suggested basing setbacks on "function and value" of the wetland.**

**On February 3<sup>rd</sup>, Members were emailed copies of Deerfield's current zoning ordinance, an updated wetland buffer matrix, and the June 13, 2017 NH Association of Natural Resource Scientists (NHANRS) Scientific Wetland Buffer Report. A Review of the above documents and of the clip of the 10/16/2017 minutes below will give context to the discussion.**

**DCC Minutes October 16, 2017 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 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.**

The discussion concluded at 8:30 pm.

**The next regular meeting is scheduled for Monday, March 11, 2019**

*(Please check the website for scheduling changes)*

[townofdeerfieldnh.com](http://townofdeerfieldnh.com)

*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*