

DCC Minutes of September 10, 2012

Derry Conservation Commission
14 Manning St.
Derry NH 03038

Minutes of Public Meeting September 10, 2012

On September 10, 2012 at 7:30 the Derry Conservation Commission met in the third floor meeting room of the Derry Municipal Center. The following members were present: Ric Buzzanga, Jim Degnan, Paul Dionne, Paul Doolittle, Beverly Ferrante, Richard Tripp, Neil Wetherbee, and Dennis Wiley.

Motion by Dennis Wiley, second by Richard Tripp, to accept the minutes for August 13, 2012. Beverly Ferrante, abstained, all others aye; motion carried.

Margie Ives, Marianne Page and Peg Kinsella were absent. Paul Dionne chaired the meeting in Margie's absence.

Chair Report:

DES – received material from Holly Green stating that water protection funding is available. Applications must be submitted from 10/1/12 to 12/1/12 in order to be eligible.

Letter of Compliance (2019-1733) – wet 09-32 (letter of deficiency) closed.

Bills – Motion by Ric Buzzanga, second by Dennis Wiley, to reimburse summer intern Ian Gaudreau in the amount of \$18.99 from the administration account for photos he had taken of conservation areas, motion carried.

Motion by Ric Buzzanga, second by Dennis Wiley, to authorize payment of one thousand dollar (\$1000.00) stipend to summer intern Ian Gaudreau from the land protection account, motion carried.

Motion by Paul Doolittle, second by Ric Buzzanga, to reimburse Dennis Wiley in the amount of \$92.72 from the administrative account for maintenance work at Weber Forest Kiosk, motion carried.

Correspondence – Granite State Tree Farm magazine received.

Local Government Center (LGC) – law lecture series application received. All commission members wishing to attend must fill out form.

Public Hearing:

Motion by Ric Buzzanga, second by Jim Degnan, to open public hearing to accept gift of two parcels of land, approximately 71.4 acres total, at 10 Collette's Grove, Tax Map ID 07-090 and 20-026. Motion carried.

Chris Rourke, 607 Collette's Grove, President of the Collette's Grove Association (CGA) had several questions.

1. Tax Map 20-026 reference deed contains permission for access to Island Pond. The association requests this be struck from the deed. Their concern is the public would use the association's private beach.
2. Tax Map 07-090 has been used by association members to access the state trail system on their ATV and dirt bikes. They request permission to continue to do so.
3. Tax Map 20-026 will have a parking lot. The association is concerned about overnight parking there.

4. The association wants to know who the agency responsible for policing and maintenance of the property would be.
5. The association understands that motorized vehicles (ATVs and dirt bikes) will be banned from the property. As they have been using the property for years to access the state trail system they want to know if this would be a Grand-Fathered Right.

In response to the question (1) on access to Island Pond via Tax Map 20-026 the commission was unaware of this. In response to the question (2) the commission stated the quit claim deed stipulates that no dirt bike or ATV's are to be used on the property. In response to the question (3) the commission stated it would be handled in the same manner as the other town conservation areas in that overnight parking is by permit only. In response to the question (4) on policing of the property the commission stated it would be done by Derry Police and Land Stewards. In response to the question (5) on Grandfathered Rights to use ATV's and dirt bikes on the property the commission stated that a non-approved or permitted use can be grandfathered.

Regina Bley, 419 Collette's Grove, secretary of the Collette's Grove Association (CGA) had several questions.

1. The association members have accessed the sand pits located on property using ATV's and dirt bikes and would like to continue to do so.
2. The association has concerns over public use of the private (association owned) beach.

In response to the question (1) on use of ATV's and dirt bikes on the property the commission stated the quit claim deed stipulates that no dirt bike or ATV's are to be used on the property. In response to the question (2) concerning public use of the private beach the commission stated that it would be a matter the association would have to deal with.

Jennifer Caron, 8 Collette's Grove, of the Collette's Grove Association (CGA) had a question concerning how to obtain information on the reference deed for Tax Map 20-026 containing permission to use the property to access Island Pond. The commission stated that she would have to contact the Assessor's Office for that information.

Motion by Ric Buzzanga, second by Paul Doolittle, to close public session, motion carried.

Motion by Paul Doolittle, second by Beverley Ferrante, to accept gift of two parcels of land, approximately 65.5 acres at 10 Collette's Grove Tax Map ID 07-090 and 5.91 acres of land at 1 Collette's Grove Tax Map ID 20-026, pending approval of town council, motion carried.

Site Review:

Mike Fowler –Town of Derry DPW to install water and drainage and replace culvert at Rockingham Road just East of Bradford Street. Work is estimated to start in April-May next year. Wetland permit required. Josif Bicja of Hoyle Tanner presented on the bridge replacement and its associated environmental impacts. Permanent impact will be approximately 809 square feet. Temporary impact will be approximately 919 square feet. Mark Theriault of Underwood Engineering presented on the proposed drainage repairs across from Winter Hill Road and at two locations near Webster's Corner.

Conservation Activity:

Go Green – town wide cleaning scheduled for October 14 to 21. Doolittle conservation area walk scheduled for October 13.

Shepherd Farm – invasive control and planting scheduled for September 22 at 9 AM.

Broadview Farm – picnic table missing and small (3") gate snapped off hinges. Dennis Wiley to investigate.

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Other Business:

Derry Fest – Conservation Commission and Go Green will share adjoining booths.

Motion by Ric Buzzanga, second by Paul Doolittle, to have appraisal of the two parcels of land given to the town done. The amount paid from the land use account for the appraisal not to exceed \$3,500. Motion carried.

Adjournment:

Motion by Beverley Ferrante, second by Ric Buzzanga, to adjourn, motion carried. Meeting adjourned at 8:31 PM.