

**Hooksett Conservation Commission
Meeting Minutes
April 2, 2008**

Call Meeting to Order: 7:02 pm

Attendance: Steve Couture vice chair, James Walter member, Cindy Robertson member, David Hess member absent, David Ross Town Council Rep, Daniel Pike member, Tim Johnson chair Excused

Approval of Minutes: James Walter motioned to approve the minutes from the March 5, 2008 meeting with corrections seconded by Daniel Pike voted unanimously

Public Input: Dan Hillis a resident came to speak to the board regarding a special exception going before the Zoning Board Article 18 Section E. for construction of access roads; driveways, water impoundments and drainage ways at proposed subdivision "Austin Woods".

This is a low-density residential district and we have concerns with regard to the drinking water and the aquifer. We like our country setting and have concerns regarding the wetlands crossing.

James Walter motioned to send a memo to the ZBA not to hold a Public Hearing on the Austin Woods Subdivision until they come before the conservation commission David Ross seconded voted unanimously.

Appointments:

University Heights – Forestry Management Plan – Jeff Burd

Jeff Burd representing 3A Development - We have hired Allen Oxford licensed forester. I would like to give you our management plan this evening for review and we still have to submit it to DES for their review. We will not be planning on cutting anything until July.

Steve Couture – When you submit it to DES please reference that the Conservation Commission is reviewing this plan. I would really like to submit it together so we are not going back and forth.

Jeff Burd – I am fine with that. Maybe we should wait until next month and go over it together.

Steve Couture – This is the first management plan that we have developed for one of our properties. We will be using this as a template for future management plans. We are

hiring another set of professionals to review because we are not professionals and want to make sure that we are covered.

Jeff Burd – I would like to avoid any friction that may occur by a review by someone that is not a licensed forester. If it were Stantec I would really object to that because they are engineers and not licensed foresters. We want to work with the commission on this. I did not want this to become debated issue. I didn't want this to become something that it is not. Allen would like to be kept in the loop.

Steve Couture – I would like it if whoever reviewed this has comments it would be something that we could all agree too.

David Ross – Our job is not to stop you from harvesting your timber, but because we are not foresters we don't want anything to be done wrong. We were disappointed that this could not happen before the ground thawed.

Daniel Pike – How would you characterized what you are doing up there now?

Jeff Burd – It was meant to be a selective cut but I have not been up there lately. There may have been some cleared areas. But for the most part it is supposed to be a selective cut. When they go into the easement they will have a set of directions that they are to follow regarding the cutting.

I want to go on the record that we would like a licensed forester to review the forester plan.

Wal-Mart – Project Update – Lucien DiStefano, Bohler Engineering

Lucien DiStefano representing Bohler Engineering. We wanted to come before you and update some of the changes that are occurring with this plan. The impacts are going to be the same to the existing wetlands. The new plan is basically the same but the building size is reduced to 165,000 ft with only 850 parking spaces. Unfortunately we were unable to reduce the wetland impact. This will have 185 less parking spaces and make for a greater green space. We no longer have a need for the larger retaining walls. The only retaining wall we need is a small one by the truck turning area.

David Ross – Why is the shading a different color from the old plan to the new plan.

Lucien DiStefano – No it is just a concrete hatch and we have not changed any of the storm water treatment.

Beaver Brook – James Danish, Keach & Nordstrom

Greg Michael representing Beaver Brook. We are back with you to review the additional conservation land. This is the exact same plan that I presented at last meeting. Back in March of 2007 the Planning Board wanted to reserve access to this parcel of the conservation easement. We went to the Planning Board on March 17 and a discussion

ensued about keeping the access. We didn't want to go that way due to wetlands. We then got into this discussion about the access road. The Planning Board wanted further feelings regarding the access. I can list a few reasons as to why you may want to keep this.

Steve Couture – The old easement is already owned by the town.

Greg Michael – I think the easement should be deeded to the town so it could be used as a walking path and allow the conservation easement other access. Also it would give access to this other parcel and would possible give access to the property over here. If you are really hard about it and say get rid of it. I have given you an amended and stated easement. A roadway can be built if you agree to it. This board did not want the ability to unilaterally build in the easement. I believe the easement that I have given you is everything that we have discussed.

Daniel Pike – What is the size of that easement?

Greg Michael – 50 feet

David Ross – We really do not need this to access this parcel correct?

Greg Michael – Yes you are correct.

Steve Couture – There is storm water treatment in that area over there correct?

James Danish - Yes there is some over there.

Steve Couture – Really the decision for us tonight is to make a decision on what we want the type of access to be.

Daniel Pike – If we do not accept this would we be putting Mr. Demers project in jeopardy?

Steve Couture – I think that because we hold the easement which was in place prior to the plan being put on paper then we should continue to hold the easement for a specific reason.

Daniel Pike – Even knowing that we may get the land above that do you still feel the same.

Cindy Robertson – That may never happen

Scott Bussiere – You guys have control over that and things can change

Steve Couture – I agree with your point. But what I was trying to frame our discussion around was that if we are thinking about accepting anything more that would possibly leave the door open for vehicular access.

Greg Michael – Things may change. If you leave the plan the way it is it just leaves the door open down the road. It gives you flexibility

David Ross – A couple of things came to mind one being, it is not the responsibility of the town to make someone's property accessible. I have seen this before, that this will eventually be turned into a road. Sometimes it may look small but our job is to look out for the interests of conserving land. The only thing that I could see if that became part of the easement and not a ROW. It would make that a bigger decision to cut through the easement.

Greg Michael – Someone not us is coming before the commission to cross an easement.

Steve Couture – My thoughts were similar. That would give us deed restrictions. Those are the only two options in my mind. I think from conservation prospective we would have two entrance points.

Dennis Demers – I am the owner of the parcel. It seems that access was not a problem a year ago with the Planning Board. You also were happy to be gaining a larger parcel land. My main concern is my land is landlocked.

Steve Couture – The problem being that they were granting access to a piece of land that was bequeathed to the town. A roadway cannot be built unless all parties agree to the roadway being built. If it is restricted in the easement then we cannot allow something like that.

Greg Michael – It would take written approval from all parties involved to agree to change the easement.

Dennis Demers – I do not want you as a board to stop access to that parcel of land.

David Ross – I think that we have the cart before the horse. This plan has not been approved correct. You bought a piece of property that was next to a big lot.

Daniel Pike – your property is essentially landlocked?

Dennis Demers – I would be landlocked. The nearest point would be 2000ft off of Smyth Road. Yes it is landlocked.

Cindy Robertson – How would people gain access?

Dennis Demers – I have to have a second access. I would eventually have to find a second access. I cannot get from their land to my land I have to find a residential access.

Scott Bussiere – Whether the road goes in or not does not effect my property. I feel that this is very bad business practice.

David Ross – Our goal is to preserve land. As it stands as we increase the easement it does increase any value. If a roadway were going through that area it would make the land even less valuable.

Scott Bussiere – Why was this not brought up sooner?

Steve Couture – I believe this just came to light sooner rather than later.

Greg Michael – I think making it part of the easement is the fairest and best option for this 50 ROW. I think it is a better move to leave it.

Dennis Demers – I am going to be taking care of the conservation commission when and if I develop the area.

Steve Couture – We already hold an easement here and to do anything to negate why we hold the easement would be bad practice.

David Ross motioned to accept the 50 foot right of way as part of the conservation easement James Walter seconded

Daniel Pike – I found both of you to be honest and I do take some exception to Mr. Ross' statement.

Steve Couture – This is not generally how we approach business as a conservation commission and I think things would have been differently had all information and parties sat down this would have handled differently.

James Danish – We are defining it as easement area.

Voted unanimously in favor

Commission Reports:

- 1. Open Space Subcommittee** – No one here
- 2. Kiwanis Trails Initiative** – Still moving forward and we will be joining up with the Audubon Society. We have not heard anything regard the grant yet.
- 3. Cost of Community Services** – The GIS analysis is done and the draft will be going to a final.
- 4. SNHPC Deed Research** – We have to apply for a grant and then SNHPC can work on it.
- 5. Saving Special Place Workshop 4/5/08** – Steve will be presenting.

Correspondence:

All correspondence was reviewed

Other:

1. **Conservation Easements – Meeting Intern** – Merielle Robertson
2. **Stantec Estimate – Forestry Management Review** – David Ross motioned to allow the chairman to enter into an agreement with Stantec to review the University Heights Forester Management Plan in the amount of \$2,000 seconded by Daniel Pike voted unanimously.

Non Public – RSA 91-A:3, II, d

Daniel Pike motioned to enter into non-public session Steve Couture seconded voted unanimously.

Daniel Pike motion to come out of non-public session David Ross seconded by Voted Unanimously

David Ross motioned to expend up to \$2,500 for a third appraisal on lands to be purchased seconded by Cindy Robertson voted unanimously.

Adjournment: James Walter motioned to adjourn at 9:20pm seconded by Cindy Robertson voted unanimously