

**Hooksett Conservation Commission
Meeting Minutes
December 2, 2009**

Call Meeting to Order: 7:00pm

Attendance: David Ross Town Council Rep excused, Cindy Robertson member, James Walter member, John Turbyne member, David Hess member, Tim Johnson chair excused, Rob Duhaime Planning Board Rep

Public Input: N/A

Meeting Minutes: John Turbyne motioned to accept the meeting minutes from November 4, 2009, Jim Walter seconded voted unanimously.

Appointments:

Possible Land Purchase – Dale Hemeon, Public Works Director

Dale Hemeon – I came here over the summer regarding the possibility of the conservation commission purchasing some land over on Petersbrook Drive. We currently have 2 soccer fields that are adjacent to this property. We currently have about 5 acres and this new parcel would give us about 10 acres. I have started building a stage on the current fields and have the ultimate goal of starting the summer concerts again.

Cindy Robertson – Can impact fees be used?

Dale Hemeon – That is something that we believe we can also use although we have not received an official ruling from our town attorney. I personally would like to see more mixed used land being purchased for recreation.

Phil Fitanides – Do you know how much would be coming off of the tax map?

Dale Hemeon – I believe the Parks & Rec Advisory Board would be favor of using some impact fees to help purchase this property. This property was on the market for \$500,000. I believe he would be willing to sell cheaper.

David Hess – Can we legally use our fund for the purchase of land for active recreation? We cannot use our fund to purchase land and build on it so I am not sure we can purchase and build a field on it. That is something I would want so clarification on before forming an opinion.

Phil Fitanides – How much would the addition maintenance costs be to the town?

Dale Hemeon – I would not know that until we had the piece of property. We would just add it to our schedule.

David Hess – Anything that we have purchased to my knowledge we have placed a conservation easement on it. I am unaware of anything else being done.

Phil Fitanides motioned to receive a legal opinion from the town attorney if the current use fund could be utilized for the purchase of land for active recreation and one the decision is discussed have a cost analysis done on the benefit to the town and the taxpayer by purchasing this piece of property Jim Walter seconded voted unanimously

1266 Smyth Road – Special Exception Wetland Setback – Don Duval

Not present

Clay Pond Project Update – Dan Kern, Bear Paw –

Dan Kern – Let me know if you have any ideas for the reception and I will get them to Harmony. I wanted to drop this off. This is a baseline report. This will have easements, deeds, maps, surveys, as well as a photographic log of the project. I included the assessment that Mark West did as well as an appendix. We usually have the town sign a knowledge of receipt form. You may want to have someone read through the report so that you know what you have.

Rob Duhaime – You have all of the property site lines completed?

Dan Kern – All of the properties have been surveyed and lines have been completed. We will only do the outside perimeter of the conservation easement with medallions. You may want to think about doing the internal property lines. There is a conversation that needs to happen in regards to the roadways and who is responsible as many of these roadways have been discontinued. When we were about to purchase the Reading piece of property all of the roadways would have been on the purchased properties. There is still a lot of dumping on the properties out there so you want to install a gate after a certain point. Another thing that we need to talk about is the wetland funds for restoration on the project.

David Hess- Can you give me a summary of all properties?

Dan Kern – The deeds are out with the landowners right now. Wiggin has been closed on. Brownstone, Gagne, Murphy/Strachan are in deed reviews and we will be closing on those soon. This is a total of about 530 acres. I have been making funders aware of the issues with Reading Property. \$215,000 came from wetland mitigation and in the language it was specified for purchase of the Reading Property or the Town owned parcel. So we will be requesting that the remaining funds be left with the town and put toward the management plan that must be written.

Phil Fitanides – How did you get the LCHIP funding? Will they have any say over the easement?

David Hess – No they will not.

Dan Kern – In regards to the Reading Property Julie from the bank made an offer to Mark our chairman that they wouldn't log it and sell it for \$150,000 more than the purchase and sales that we had in place. So we will move forward as it is today and wait and see what happens. We no longer have any negotiations in place. On another note I do think the Paquette piece would be a good

purchase to connect our properties. I can try draft an RFP and get it to the commission for review. I can help you with that. Also when I was up on the properties I noticed that long the southside of North Candia Road dumping has occurred.

Miacomet Development Inc – Webster Woods – Trail Easement

One of the conditions for our final approval is to get a seal of approval from the conservation commission in regards to the easement. We will be doing the initial grading when starting phase 2 and have changed the grantor to the Town of Hooksett instead of the conservation commission. The Planning Board only wanted surface rights not subsurface rights.

David Hess – Later on in the easement deed it is stated that we will be responsible for maintaining and upgrading. I think the lack of subsurface rights should be addressed. I feel it does need to be expanded on the maintenance part so that we can maintain the trails.

John Turbyne – The last paragraph with regards to the grantee and grantor about receiving written permission to relocate the trail easement.

Miacomet – Our clients usually don't mind doing it. We want to reserve the right to make modifications if need be. We would have to do things at our own expense.

Rob Duhaime – About 50% of this is paved. I have a concern about the initial grading to be completed prior to the sale of the last unit. But I don't think they will wait that long.

Phil Fitanides – Can you tell me when this deed was written?

Miacomet – This has been written many times and rewritten. There have been many drafts.

David Hess – Will there be any money received for the maintenance of this easement?

Miacomet – No there will be no money.

Rob Duhaime – You have to remember that this will be a town owned easement so the town will be ultimately be responsible.

Miacomet – We can add that the town can terminate the easement if that would be something that you would entertain.

David Hess- I think that may be a good idea

Jim Walter motioned to accept the easement that was discussed at the meeting with all of the corrections the commission and Miacomet agreed upon with David Hess being the contact for the trail easement Phil Fitanides seconded voted unanimously

Commission Reports:

- 1. Open Space Subcommittee – N/A**

2. Kiwanis Trails Initiative – N/A

Correspondence:

All correspondence was reviewed

Other:

1. **Invoices** – Stonehill Environmental Invoice for the Clay Pond Project Jim Walter motioned \$6,080.60 David Hess seconded voted unanimously.
2. **School Site from Manchester Sand & Gravel** – Send a letter of support for the donation of land.
3. **Reception for Clay Pond** – Chambers for the reception on January 26, 2010, 4:00pm. There is an 8 hour time difference between here and Iraq. The room has wireless for connection for Steve. Invites will be all grant funders and all Hooksett officials, as well as some of various people that should be invited. Bear Paw will create a postcard invitation and mail them out. Invite the general public through the newspaper. Announcement on website as well. We would like to have some publicity there as well. For the program portion Mark our chairman could be the host for the reception. Spectrum advertising may also be a good avenue. A conservation commission chair and town council chair should be asked to speak. Food some light munchies maybe be some beverages. End it with a cake.

Non Public – RSA 91-A: 3, II, d

Jim Turbyne motioned to enter into non-public session under RSA 91-A: 3, II, d David Hess seconded vote unanimously

David Hess motioned to exit non-public session Jim Walter seconded voted unanimously

Jim Walter motioned to pay TF Bernier \$10,880 for a survey on a prospective piece of property David Hess seconded voted unanimously

David Hess motioned to pay an invoice from Mark Dunn in the amount of \$1,290 upon confirmation that it has not been paid yet in regards to the Clay Pond Project Jim Walter seconded voted unanimously

David Hess motioned to seal the minutes of the nonpublic session Phil Fitanides seconded voted unanimously

Adjournment: David Hess motioned to adjourn at 9:21pm Jim Walter seconded voted unanimously