

**Hooksett Conservation Commission
Meeting Minutes
January 3, 2012**

Call Meeting to Order: 6:02pm

Attendance: Cindy Robertson member, Jim Walter member, Steve Couture vice-chair, Phil Fitanides alt-member, Todd Lizotte Town Council Rep, John Turbyne alt-member, David Hess member

Public Input: none

Meeting Minutes: Jim Walter motioned to approve the minutes December 6, 2011, public Todd Lizotte seconded voted unanimously.

Appointments:

Austin Woods Subdivision – Conservation Easement

Bruce Fillmore- I brought three copies of the large plan that shows the trails and the phasing. I received an email from Mr. Hess yesterday and he raised some concerns about items that may need to be addressed and one of those being the \$10,000 fee that will be paid prior to any construction occurring. I also made some changes to the all of the documents to make them flow a little easier. I also gave a copy of the forestry management plan.

John Turbyne – I have a question regarding the restrictions on logging.

Bruce Fillmore – Once I looked at the documents I noticed some ambiguity in the document so I felt more language was needed. I felt that adding B to page 3 of the conservation easement put into place the fact that you would be notified if the home owner’s association was going to go into the easement and do any cutting. If there was going to be commercial cutting then you would be notified 60 days in advanced.

I really believe this will tie all of these documents together. I also added a clause in here regarding the trail maintenance on page 11 of the Covenants #18 is brand new this spells out who will pay for any damage.

On page 4 letter C it was always my intention of having this be accessible to the public. Your attorney is the person who added Shall /Shall Not. I believe you would need to recommend what your intentions are.

Each phase of the trails will be completed as the phase of the roadway is. This is so they are completed in the same time frame.

Cindy Robertson – Is it possible to remove some of the language from section 4 and add to 18?

Jim Walter – I think the issue is that this refers only to damage done by motorized vehicles and we would like to see something addressing any damage.

Bruce Fillmore – I could add something like that if you would like.

Dave Hess – I think the underlying issue is that this is there land and they are responsible for it we only step in if the homeowners association decided not to do anything. This states that we will be able to go in, clean it up and then go after the association for reimbursement.

Todd Lizotte – Who makes the judgment call when deciding that an issue needs to be addressed?

Dave Hess – I don't believe there is a simply answer to this question.

Steve Couture – My concern is the grantor can develop trails but we cannot.

Bruce Fillmore – I do not know if there is a need or a right for the conservation commission to go in and construct trails. Even if this roadway is not built there are trails out there that are perfectly acceptable.

Steve Couture – If we developed a trail system in our easement we would be responsible for the maintenance and all additional costs.

Bruce Fillmore – I do not have a problem with putting this in there but I also want to make sure that the homeowners association has a say in it as well. Let me work on it tomorrow. I think we are really close here I would like to get on the Planning Board for the next meeting.

Steve Couture – We would have to approve some bullet points tonight and then allow someone to review it.

David Hess – What we are dealing with now is a limited trail system that will be maintained by the homeowners. We are requesting that the conservation commission can develop further trails with the fact that the conservation commission would be responsible for these additional trails.

David Hess motioned the homeowners would be responsible for the specified trails system as seen on the subdivision plan and that if the conservation commission so chooses to build additional trails that the commission would be completely responsible for the addition trails Jim Walter seconded voted unaimously

Jim Walter motioned to accepts the documents with the additions Todd Lizotte seconded voted unaimously

Kiwanis Trails – John Pieroni

John Pieroni – I am here representing the Hooksett Kiwanis Committee. We are looking to move forward with another trail project and the committee has decided Clay Pond would be a good area to do this. I am here tonight to seek your advice and approval on this to identify parking; signage and

possibly create some trails. Our goal is to create a non-motorized trail as well as being consistent with the conservation commission goals.

Steve Couture – I think it lines up well but first we have to develop a stewardship plan and I believe that having Kiwanis on board would help with that. But I think the timing may be a little early as we still have to develop that stewardship plan. Is your intent shovel ready in 2012?

John Pieroni – We are really getting started right now I don't believe we are looking for something that is shovel ready. This is something that we would like to know that you would like us involved in. We do not have a time frame but we are interested in working with you on this trail system.

Steve Couture – I believe Quimby Mountain is also something that may be an area that could be worked on.

David Hess – I think that Pinnacle may also be something in the immediate future. I think let's build the relationship now and work together to get these built.

John Pieroni – It would be nice if you keep us up to date on any additional trails that you may know of so that we can get a trail map on the website.

John Turbyne – Should someone start working with Bear Paw to get started on these management plans?

Steve Couture – I think in the next couple of months we would better suited to put our priorities together. But we are very excited about the partnership but we are just not 100% certain what parcel we would like you to work on.

Diesel Direct -

John McDougal – Regional Manager – We are here to discuss an on-site fueling facility at 25 Lehoux Dr this is the Huttig Building. This area is unique because it is in the aquifer. I have dropped off plans with both the planning department and fire department.

Jennifer – We have trucks that look like home heating oil trucks. We come and fuel the trucks up with a 1 inch hose and it pumps 30 gallons a minute.

Jim Walter – This is all concrete so if there was a spill it would be on the concrete,

John McDougal – We do have drain covers on our trucks and where we fuel it does slope towards the building and not towards this dirt area.

Steve Couture – Do you have a deadline where you need approval?

John McDougal – No we are just starting this process and this is a learning process. So we are trying to come to commissions early and see what will be needed. We have spill kits on our trucks. Also we only have one truck that arrives on site to fuel up these vehicles.

John Turbyne – What type of anti-spill techniques do you have in place?

Jennifer – There are three different ways to stop the fuel from coming out of the truck along with speedy dry, booms, etc in case something were to happen. There are also no auto-locks on the handles so you cannot walk away from truck while it is fueling another truck.

Steve Couture – The only question I have is if the groundwater protection plan allows this to happen. I just want to make before we give any approval that this allowed. I would like to take the time to review our ordinance and make sure this is allowable. I would like to review and discuss at our next meeting in February.

Consensus of the commission is that we have no issues with this also along as it does not violate the groundwater ordinance.

Commission Reports:

1. **Quimby Mountain Easement** – The town acquired this parcel in two tax sales. There is no description on one of these sales. The second parcel has been surveyed. Mark Dunn tried to do the title search on the second parcel and he could not find any deed that resembles that parcel of land. So Mark has provided the commission with language that has the description and this will be clarified and the deed will be rerecorded once all of this is completed.
2. **Pinnacle Park Planning** – Jacqui McCanti presented the recommendation of the P&R Advisory Board:
 1. Gravel Drive and parking areas for 8-10 cars off Pinnacle St. Ensure a buffer of trees and bushes are left along Pinnacle St
 2. 6” high stockade fence along abutters on Ardon Drive and Hummingbird Lane with some bushes in front to give a natural look
 3. Signage for Pinnacle Park and signs on Rte 3A
 4. Carry in, Carry out policy – no trash containers
 5. Reroute trail (at least temporarily) over the ledge with some signage
 6. Memorial boulder with plaque

David Hess – I like all of these, the concerns of course would be cost and to ensure that we have enough money to complete all of these. Have you prioritized these?

Jacqui McCanti – We have not.

Steve Couture – If there is ledge I would say you may not be able to remove it as it is most likely stated that you can remove or disturb these things.

Jim Walter motioned to accept the recommendations made by the Parks & Advisory Board David Hess seconded voted unanimously.

David Hess – I do think that we should have someone from the Pinnacle Advisory Committee also be involved in the process of completing these items.

John Turbyne will be the representative from the conservation committee.

Correspondence:

Other:

1. **Clay Pond II – Environmental Assessment** – We have a shed and questionable barrels and some trash to clean up. Dan said he doesn't believe it should cost more than \$20,000 to clean up. With our purchase and sales agreement we have some options, before Jan 15 we can back out if issues arise, and then the closing date is in Feb. What do we want to do?
David Hess – Maybe we could request an extension to do further soil testing to see if any contamination has occurred.
Jim Walter motioned to forward StoneHill Environmental Assessment Report to the Reading Corp's attorney and request cleanup of the site involving the barrels, trash and shed Cindy Robertson seconded voted unanimously
2. **HB1512** – This is a bill to eliminate conservation commissions from collecting current use funds and limit powers of the commission as well. This bill will be heard next week.
3. **Memo of Understanding – Trail Coordination** – Basically what we spoke about tonight I would like to work on getting a policy regarding entities working together to build trails and getting input from other departments and community groups involved.
4. **Invoices** –
Upton & Hatfield – Dave Hess motioned to pay the invoice in the amount of \$1,263.00 from the current use fund seconded by Jim Walter voted unanimously
VHB – Cindy Robertson motioned to pay the invoice in the amount of \$825.00 from the current use fund seconded by Jim Walter voted unanimously
Stonehill Environmental – Cindy Robertson motioned to pay the invoice in the amount of \$1,530.48 from the current use fund seconded by Jim Walter voted unanimously
Stantec – Jim Walter motioned to pay the invoice in the amount \$790.00 for the EIA Draft policy from the carry over fund seconded by Cindy Robertson voted unanimously
New Hampshire Association of Natural Resource Scientist Membership – Cindy Robertson motioned to pay the \$25 membership fee Jim Walter seconded voted unanimously

Non-public under RSA 91-A: 3, II d

No non-public session

Adjournment –Cindy Robertson motioned to adjourn 8:45pm at Jim Walter seconded voted unanimously