

CONSERVATION COMMISSION MEETING MINUTES
May 12, 2014

Steve Couture called the meeting to order at 6:00 p.m.

Attendance: Steve Couture, Chair, Cindy Robertson, Vice-Chair, David Hess, member, Phil Fitanides, member, Jim Walter – member excused, John Turbyne - Alt. member excused, JoCarol Woodburn – Alt member excused, David Ross, TC Rep excused, Frank Kotowski PB Rep excused.

Public Input: none

Meeting Minutes: Steve Couture motion to approve the meeting minutes for February 10, 2014, without the additions provided by Phil Fitanides after the meeting, seconded by Cindy Robertson. It was agreed that Phil's comments would be a supplement to the minutes for future information. Motion passes. The April 14, 2014 minutes were tabled due to lack of quorum present to vote on them.

Appointments:

Edgewater Drive – Paul Scarpetti, Jen McCourt and Attorney Richard Uchida

This matter has been before the Conservation Commission several times with two members of the Commission participating in a site walk of the area. A more detailed layout of the proposed development was presented which identified the location of the six proposed lots, the parking area and the path. It was represented that parking will be on the interior of the cul de sak with Lot 1 being pushed further away from the cul de sak than originally planned. Representation was made that the entire "green area" (on the plan provided) would be donated to the Town as a recreation area. Mr. Scarpetti is proposing a property exchange agreement between him and the Town such that the Town would agree to discontinue the Class VI portion of Edgewater Drive and grant the rights to tax lot 6 in exchange for access, utility and recreation easement on the property. A draft Property Exchange Agreement was provided. The Town would get a non-exclusive easement to use the road (3,750 linear feet) for recreational use (walking, biking, etc.) and utilizes, if needed. The use would be limited to non-motorized vehicles except for police/fire etc. Hunting, camping and the use of alcohol would be prohibited. The homeowners would maintain the road and the open space. The Town would have no responsibility for the maintenance of either of these items. Attorney Uchida indicated, however, that the Town would be required to indemnify the homeowners for any sums paid as a result of the actions of a person on the property at the Town's invitation.

It was noted that the Property Exchange Agreement was very similar to a P&S Agreement. There would be a quitclaim deed regarding tax lot 6. Dave Hess questioned why this wouldn't be a warranty deed. Attorney Uchida indicated a willing to do this. Phil Fitanides requested a list of all the people who have owned the property which Attorney Uchida agreed would be provided. He indicated that Joe Wicker had done an exhaustive search of the land's ownership.

Steve Couture raised a concern about the "general conditions" section appearing on page 11 of the proposed Agreement and felt that before a private person could be barred from using public land, there had to be some sort of due process involved. Attorney Uchida agreed that in other situations some type of "notice procedures" are built in.

Steve Couture also stated that there should be a "carve out" for what the Town can do in the picnic area. The proposed agreement requires the Town to get permission.

Bear Paw – Dan Kearn

Dan presented the proposals for the wetlands study on the Hanscom and Lambert properties prepared by West Environmental for \$1,750. Discussion about how land will be purchased. Steve Couture moved for approval of having West Environmental conduct the wetlands study. Dave Hess seconded. Motion passed.

Discussion about the two parcels being considered for the property provided for the Peters Brook ball field. Dan doesn't feel these parcels have much conservation value. Instead he suggested the Conservation Commission consider a land exchange with Manchester Water Works for a parking area to Clay Pond. Dave Hess said he would discuss this possibility with Manchester Water Works.

Dan indicated that Bear Paw is having a function at the Hooksett Library on October 21, 2014 from 7-9 p.m. Kevin Gardner, a stone wall builder, will be the guest speaker. Bear Paw intends to use this function as a membership drive as well since Hooksett presently has only a few Bear Paw members. Conservation Commission is considering joining it's fall celebration with this event.

Commission Reports

Merrimack Riverfront Property

Dave Hess has talked to Emily Barrett about acquiring her property. She has asked to have until July to make a decision. Dave also met with Jackie McCarten of the Amoskeag Rowing Club about using the piece of property next to their building to access the riverfront property. The ARC was meeting later this evening and would discuss. Dave noted that the ARC has a two year lease with the Town with an automatic renewal. The next renewal is December, 2015.

Clay Pond RFP

Dan Kearn, Steve Couture and JoCarol Woodburn met with representatives from Moosewood Ecological about the project. It is anticipated that the project will be completed in 2015. Group discussed access, what Conservation wanted to achieve, trails, etc. Moosewood will be at the August Conservation meeting with possibly having a public meeting in September.

Other

Invoices

Steve Couture moved for payment of an invoice from Attorney Mark Dunn dated February 26, 2014 for the Bailey Boundary line in the amount of \$618.50. Dave Hess seconded. Motion passed.

Non-Public Meeting Minutes Review

This will be address next meeting.

Membership Re-appointments

Only two people are up for re-appointment. Steve Couture said he would get in touch with Jim Walter to see if he was interested in being re-appointed. If so, Steve intended to simply ask Town Council to do so.

Correspondence

All correspondence was reviewed.

Cindy Robertson motioned to adjourn the meeting at 7:45 p.m. seconded by Dave Hess. Motion passed.