

JAFFREY CONSERVATION COMMISSION

Minutes February 4, 2009

PRELIMINARY

In Attendance: Jim Bearce
Nora Barton Bryant
John O. Field, *Chair*
William Graf
Ron Rogstad, *Alternate*
Pat Weiner, *Alternate*
Don MacIsaac, *Selectmen's Representative*

Absent: Carolyn Garretson

Guests: **Randy Luopa**, Superintendent, Troy Water and Sewer Department; three Commissioners from the Troy Water and Sewer Department; and **James J. Donison**, P.E. of Northeast Engineering, PLLC, engineering consultants to the Troy Water and Sewer Department. **Michael J. Shea**, Chair of the Jaffrey Planning Board, and **David Baron**, Jaffrey Building Inspector.

PRELIMINARY

1. The Chair called the meeting to order at 7:00 PM and pronounced William Graf scribe. He observed that the meeting this evening was rescheduled from January 28, 2009 due to inclement weather. The guests from Troy were welcomed and introduced themselves.
2. The minutes of the meeting held on December 10, 2008 were reviewed and approved.

REQUEST FROM THE TROY WATER AND SEWER DEPARTMENT

3. **Minimum Impact Expedited Application**

The Troy Water and Sewer Department has submitted a Minimum Impact Expedited Application to the DES Wetlands Bureau to continue infrastructure development at its facility along Route 124 in Jaffrey. The application is for construction of a 1½ inch water main across Fassett Brook from the groundwater well on the far side to the existing water tank and a to-be-built water treatment building adjacent to the tank; also to make permanent the access road to the well, which was drilled in 2006 when it was determined that a second well is needed.

The site was visited on January 15, 2009 by JOF and Dave Baron, Jaffrey Building Inspector, and on January 19, 2009 by JOF, BG, and Selectman MacIsaac.

In reviewing the application, JOF noted an inconsistency in responses concerning the presence of rare and endangered species in the project area. Mr. Luopa acknowledged the error and promised to correct it. He provided a letter from the state's Natural Heritage Bureau indicating that they have no record of sensitive species in the area. Further questioning determined that the water main would be installed four feet underground, including the portion going beneath Fassett Brook; also that headwalls would be installed along the road to make it permanent; and that the water treatment plant might be built during 2009. (The application for the treatment plant has been filed directly with DES.) Troy would like to advertize the project under review by mid-March.

After the guests from Troy left the meeting, the Commission discussed the application at length and also considered the future impact of building the water treatment plant. A motion was made by JB, seconded by RR, to sign the expedited application and forward it to DES. The motion passed with five in the affirmative and one abstention. It was further agreed to send a follow-up letter to the Troy Water and Sewer Department expressing concern over cumulative impact on the environment of any future development at the site.

NB asked that copies of future applications to DES be made individually available to Commission members in advance of the meeting instead of their simply being available for review at the Town Offices. JOF said this would be done.

Postscript: The following morning Mr. Luopa corrected the error noted in the application. JOF added the letter from the Natural Heritage Board to the application, and both he and Maria Chamberlain signed it. She sent the completed application to DES on February 6, 2009. That same day JOF emailed a letter to Mr. Luopa stating, in part, that "the Commission pays close attention to multi-faceted projects whose aggregate impact on the environment may exceed the impact of any one component, especially when infrastructural development is phased over time and specific components are reviewed and permitted separately. To the extent possible, we try to assess "impact creep" as more features are added down the road. These concerns may surface again should you decide to add to the existing infrastructure in future years." A copy of the letter was also sent to the Jaffrey Board of Selectmen and Planning Board.

Postscript: On February 10, 2009, DES sent a letter to the Troy Water and Sewer Commission declaring its application "administratively incomplete" for lack of a tax map showing the property and labeling abutting properties.

PRIORITY UPDATES

4. Commission Finances: Conservation Fund and Line Item Tracking

Conservation Fund Overview: In the absence of CG, JOF indicated that the fund's year-ending balance on December 31, 2008 stood at \$20,155. Of this amount, \$7,676 is available for discretionary spending.

Tracking:

(1) ***LUCT revenues:*** There was no information available on funds in the pipeline for the last three months of 2008 or those anticipated for 2009. According to CG's last spread sheet in November 2008, LUCT revenues to the Conservation Fund averaged \$40.7K per year between 2003 and 2007. However, this figure is biased upwards by an unusually large transfer in 2006 (\$106.7K). With this anomaly excluded, the usual average of receipts per year is just under \$25K.

(2) ***NRI:*** The third payment to Kane & Ingraham (for mapping) has been made. There are two payments remaining, totaling \$5,975.

(3) ***Gray Goose:*** Cost of the baseline survey is \$1,800. (*Postscript: Jeff Littleton submitted an invoice on February 5, 2009, the day after submitting the draft Baseline Documentation Report. JOF authorized payment on the 6th.*) The cost of annual monitoring will be discussed with Mr. Littleton at the Commission's meeting on February 25, 2009. Brenda Bhatti had estimated \$1,000 in her original budget for the Gray Goose easement.

(4) ***Gordon Fund:*** \$1,650 in interest earned in 2007 and transferred to the Conservation Fund was unexpended in 2008. It was moved by RR, seconded by NBB, to apply this amount to reimbursement for the survey of Children's Woods performed by Vorce, Soney and Associates in November 2007. The motion passed unanimously.

The Commission has received \$3,000 in interest earned in 2008 for use in 2009. For purposes of budgeting, the question is how much of this amount to apply to further reimbursement for the Children's Woods survey vs. holding in reserve for various projects. One project, to mark on the ground several sections of the Children's Woods boundary to facilitate monitoring by the Monadnock Conservancy (estimated cost of \$800), is on hold pending further review of options (see # 8 below). A second proposal is to repair a bridge on the Rails to Trails, at a cost of \$1,425. A third proposal is to allocate an unspecified amount to clearing the damage caused by the December ice storm. These last two options will be investigated further, with resolution expected at the Commission's meeting on February 25, 2009 or soon thereafter. Other expenditures under consideration include preparation of a brochure, with trails map, and support for educational programs in Children's Woods and Carey Park.

Accordingly, the Commission chose not to commit resources to further reimbursement of the Conservation Fund until other uses of the Gordon transfer have been clarified and costed. With the \$1,650 reimbursement noted above, the total amount to be reimbursed -- \$4,002.50 -- has been reduced to \$2,352.50.

(5) **The town's \$200 appropriation** (Account #4619): The need remains to track expenditures of this appropriation each year, if only to document that it has been appropriately spent.

Since the December meeting, the Chair has been investigating the possibility of giving financial assistance to other organizations whose activities support conservation goals. Several opinions (town counsel, NHACC, LGC) hold that it is illegal to make grants from the Conservation Fund. By contrast, the town appropriation may be used for this or any other purpose set by the Commission. In past years the appropriation has been used for conference registrations and materials along with associated travel costs. It was moved by NBB, seconded by RR, to use the town's appropriation of \$200 for the 2009 fiscal year to support the conservation efforts of other organizations. The motion passed unanimously.

Budget for 2009: A budget is being drafted by CG and will be reviewed at the February 25th meeting of the Commission.

Land Summit Reimbursement: Forms were distributed to members seeking reimbursement for the Land Summit registration fee and travel to/from.

5. Natural Resource Inventory

Chris Kane emailed the completed **maps** on January 15, 2009. Jo Anne Carr arranged with Randy Heglin, Director of the Public Works Department, to have them enlarged at the DPW to 36"x36" for easier scrutiny and display at the Land Summit in Keene on January 31st. In an email dated 1/22/09, Mr. Kane indicated that Kane & Ingraham are still working on several of the maps. An invoice for finishing the maps (\$2,875) was received and given to Pam Bernier, Finance Director, for payment.

The **draft report** has not been received but is expected imminently.

A **public rollout** has been scheduled for Tuesday, February 24, 2009, 7 PM at the Town Offices. Chris Kane and Pete Ingraham will present the NRI and answer questions. Announcements have been posted on several bulletin boards and sent to a large number of people in Jaffrey and from surrounding towns. Copies were made available at the Land Summit in Keene, and there has been press coverage as well. Commission members were encouraged to invite others who might be interested. JOF has reserved the Fire Station in the event that the crowd is too large for the Town Offices. William Graf volunteered to get refreshments.

Postscript: In light of responses received to the notices circulated, JOF followed the advice of others to move the event to the Fire Station. All persons originally contacted have been notified of the change.

On January 14, 2009, JOF received an inquiry from Dorrie Upton, Chair of the **Troy Conservation Commission**, concerning various aspects of the NRI in Jaffrey. The information provided was received with gratitude.

6. **Gray Goose Farm**

The baseline survey conducted by **Jeffry N. Littleton** of Moosewood Ecological, LLC is close to completion. The **Baseline Documentation Report (BDR)** has not been received as yet but is expected any day. It will be circulated to members of the Commission upon receipt. Mr. Littleton will discuss the report and answer any questions at the Commission's meeting on February 25, 2009.

Postscript: Mr. Littleton emailed a draft BDR on 2/4/09 and his invoice the next day. Copies of the report have been circulated, as promised; and JOF authorized payment on February 6th.

7. **Cheshire Pond Conservation Area**

The Chair distributed copies of the completed CPCA Management Plan.

JB has reviewed the survey maps in Jo Anne Carr's office and indicated that they confirm observations made on the ground. One concern is that a section of the main trail goes onto private property and will have to be relocated. He visited the area recently and noted significant damage from the ice storm.

For the Commission's meeting on February 25, 2009, JB will prepare a prioritized list of tasks to be performed this spring in preparation for public access, including preparation of a pamphlet/brochure with a map showing access points and trails. JOF raised for consideration the possibility of having one brochure with maps for both the CPCA and Children's Woods/Carey Park.

OTHER UPDATES AND INFORMATION ITEMS

8. **The Monadnock Conservancy's Easement on Children's Woods**

In an email dated 1/20/09, **Ryan Owens**, Executive Director of MC, asked for assistance with the pending easement on Children's Woods. Jaffrey is obligated to donate the easement to MC as part of the wetlands mitigation package to build the new ball field at the end of Blake Street. The donation has yet to occur, in part because review of the proposed easement deed has not been completed by the town. Town Counsel Kelly Dowd has been asked to provide legal advice concerning the draft easement deed at his earliest convenience.

MC also requested that the town install boundary markers and corner monuments on site. JOF broached the matter with Mike Hartman, Town Manager, and on January 22nd discussed it with him and Randy Heglin, Director of the DPW. Both expressed doubt that the town has funds for the purpose. Mr. Hartman and JOF then considered drawing on interest from the Gordon Fund now in the Conservation Fund to meet the expenses involved. JOF obtained an estimate from Vorce, Soney and Associates based on a scope of work agreed to with MC. However, this estimate was markedly higher than anticipated. Rather than pay half the cost itself, MC decided do look into doing the ground work itself. In effect, the option of having the Commission pay for all or part of the boundary marking is on hold.

9. **Town Website**

NB reported that the Conservation Commission members list has been updated and added to the website. Still to be added are the remaining 2009 meeting dates (or “the fourth Wednesday of the month”), minutes of the last meeting, the NRI rollout announcement, and the 2008 Annual Report. Potential future entries include the Gray Goose BDR and the completed NRI.

10. **Annual Report**

The Commission’s Annual Report was submitted on January 15, 2009. The updated list of members with their term expiration dates was submitted on January 19th.

11. **Greene Family Property**

The Greene family’s current intent is to breach the dam at Laban Ainsworth Pond, assuming that this is the least costly option concerning the dam (which is in serious need of repair). They remain interested in seeking a Moose Plate grant to cover mitigation costs. They will also resume contact with MC about placing an easement on most of the property.

12. **Other**

There are no updates on the following:

- ***Peter Dublin/82 Hunt Road:*** retaining wall.
- Incorporating ***children’s education*** into conservation easements and open space management.
- ***High School track area:*** culvert repair and stream flow.
- The Commission’s responsibility for managing various ***Town Forests***.
- Permitted and not permitted uses of ***email*** in the conduct of Commission business.

13. Calendar

The ***Land Summit*** sponsored by the Monadnock Conservancy, SPNHF, and other organizations was held on January 31, 2009 at Keene High School. Members of the Commission attending were NBB, JOF, BG, and PW. Also representing Jaffrey were Don MacIsaac (Selectmen's Representative to the Commission), Mark Kresge and Ed Merrell (Planning Board), and Dick Ames (Chair, JCVIS Conservation Easement Committee) In addition, the Commission displayed six the 36"x36" maps from the Jaffrey NRI.

The Coverts Project of UNH Cooperative Extension is holding its annual ***NH Farm and Forest Expo*** on February 6-7, 2009 at the Center of NH-Radisson Hotel in Manchester. For a complete schedule of events and workshops, visit the web at <NH Farm and Forest Expo>.

The ***Southwest Region Planning Commission***, in conjunction with the City of Keene, is sponsoring a training session for public officials on "Everything You Wanted to Know, and More" on February 17, 2009 at the Keene Public Library from 6:30 - 8:30 PM. Topics include conducting a meeting, conducting a public hearing, and the Right-to-Know Law. JOF has a flier for this event, including contact information to register.

Jaffrey Candidates Night is 7 PM on Tuesday, February 17, 2009 at the Jaffrey Women's Club. Storm date is February 24, 2009.

Public rollout of the ***Natural Resource Inventory*** for Jaffrey is at 7 PM on Tuesday, February 24, 2009 at the Fire Station.

Jaffrey's Town Election is Tuesday, March 10, 2009.

Jaffrey's Town Meeting is Saturday, March 14, 2009 starting at 9 AM at Pratt Auditorium on Stratton Road.

OPEN TALK

The Chair asked that the Commission consider recruiting new members. Time permitting, this will be on the agenda for the Commission's next regular meeting on February 25, 2009.

A suggestion was made that we send our agendas and minutes to *The Keene Sentinel*. After discussion, it was felt that this probably is not necessary. However, we should make sure *The Sentinel* is notified of special events.

JOF reported that Dick Ames had prepared a document for the Parsons Lane easements and would be reviewing it with the JCVIS Conservation Easement Committee on February 5, 2009. The committee is charged with making a recommendation on JCVIS'

assuming stewardship responsibility for easements to the organization's Executive Committee by July 2009.

ADJOURN

The meeting adjourned at 10:00 PM. The next regularly scheduled meeting of the Commission is Wednesday, *February 25, 2009*, 7 PM at the Town Offices.

Respectfully submitted,

William Graf