

**Moultonborough Conservation Commission Meeting Minutes
August 2, 2010**

**Members Present: Marie Samaha, Chairman, Bob Patenaude, Judy Ryerson,
Paul Schmidt**

Members Absent: Paul Stinson

Alternate Present: Bill Gassman

Others present: Nancy Wright, Peter Jensen, Herb Farnham, and Richard Muehlke

The Conservation Committee convened at 7:00 in the Moultonborough Town Hall

Marie appointed Bill Gassman, alternate, to sit in place of Paul Stinson with full voting privileges.

Meeting Minutes

The minutes from the meeting of July 6 were unanimously approved as written.

Wetlands Restoration and Mitigation Inventory—Paul Stinson

Since Paul was absent, this was put off until the next meeting.

Permit/Applications/Correspondence—Marie

Marie and Bob meet each Tuesday to review permits, etc. Marie handed out a sheet showing the types of applications reviewed, permits granted, and correspondence received relative to work in jurisdictional wetlands or other projects Con Com is asked to comment upon. Marie mentioned specifically a couple of applications/permits that were of special interest, but there were no major concerns. The handout is included as part of these minutes.

The Commission reviewed an application to come before the Planning Board on August 11 asking for a Conditional Use Permit to cross a wetland to access buildable upland, as allowed by the town's Wetland Setback ordinance. The Commission had no particular comment beyond asking that the Planning Board require the applicant to use the least impacting alternative.

Membership—Marie

Marie reported that Bill Gassman has been appointed a full member of the Commission, but that he has not yet received his letter of authorization or been sworn in, so he was still operating as an alternate this evening. Marie also reported that Herb Farnham has been appointed to be an alternate but he similarly awaits his letter of appointment.

Current Use Change Tax—Bill Gassman

Bill, continuing the good work of Bob Clark, reported on his progress and process this past month. He met with Don Berry of the LRCT to see if there are projects the Conservation Trust is working on in Moultonborough that we could assist with, if we had sufficient available money. Don Berry said they have a few projects, not yet ready for action, that we might be able to help with—possibly with processing fees, which are

sometimes hard to raise. Bill said this is one area we could point to when asked why we need Land Use Tax money. Bill also said that he would propose that we make our initial appeal to the BoS on September 2, with Marie and Bill making the presentation, but encouraging all members to come to support the appeal. At that time we will begin the process of asking for the Selectmen's support to have the Commission get a portion of the Current Use Change Penalty money—if the Selectmen are reluctant to support our request, we will need time to go the Citizen's Petition route. Bill proposed that we ask for 50% of the change penalty money with a cap of \$20,000. Because of the current economy last year the tax penalty money was less than \$2,000, but in the past, in a good development year, it has into the \$50,000 range. Bill anticipates we might be able to assist the LRCT with one project a year—requiring a possible \$500 contribution—and we also have other projects we are paying for, like the current project to check for phosphorus hot spots in the lake, so we certainly could use the money to augment what we have remaining in our reserve.

Milfoil Committee—Peter Jensen, Chairman

Peter presented his report to the Conservation Commission, including maps of treatment areas, included as part of these minutes. Peter reported on the continuing dialogue with Fish and Game. He said they have an agreement that Fish and Game will not oppose their treatment plans for the Fall. Glen Normandeau will write a letter to that effect. Peter also reported on some of the activity of the Lake Host monitors. The next meeting of the Milfoil Committee will be at 6:30 on August 16 at the Library, and Peter urged all interested to come.

Steep Slopes—Paul Stinson

Paul had sent his proposed changes to Marie who distributed them to the Commission. The changes were: 1) a more complete definition of "Extremely Steep Slope" ("Slopes having a gradient of twenty-five percent or greater based on two-foot contours analyzed over ten foot vertical internals, prior to cut and fill, as measured perpendicular to the slope), and 2) the elimination of VII, C ("No section of any driveway may exceed a 10 percent slope for residential subdivisions or 8 percent slope for nonresidential site plans.") Judy Ryerson and Peter Jensen pointed out that the Planning Board is working on their Subdivision and Site Plan Regulations now and will be putting in some specific requirements, similar to those we are eliminating from the proposed Ordinance, including limits on degree of slope. Being regulations, they can be waived for hardship or other good reasons, while such restrictions in Ordinance cannot be waived and need to go to the Zoning Board. The Commission was in unanimous agreement with both changes, and the revised Steep Slopes draft ordinance will be forwarded to the Planning Board for their consideration, with the expectation that it will be on the Town Meeting Ballot in March of 2011.

By-Laws for Conservation Commission—Paul Stinson

Paul being absent this was put off until the next meeting.

Water Quality—Bill Gassman

- a. **Phosphorus Testing.** Bill said that the first satellite pass could not get a good view of the lake, too many clouds, although it had seemed like a good day. They will try again. Bill had taken samples for testing by UNH labs at four areas of the lake, as controls for the satellite information, and he reported on the results: Black Point, 4.5, off Langdon Cove, 5.6, off Suissevale, 9.5 and inner Green's Basin, 12.5 (which puts that area in the Eutrophic range). Bill also said he would like to test Ledgy Pond and he inquired about ways to access that. If the readings there were quite high it would suggest that it might be contributing to high phosphorus levels in the larger lake and ways might be found to mitigate it. There was some additional discussion generated by his findings.
- b. **LRPC—Grant Work and Phase II of the Watershed Plan.** Bill reported on his contact with Pat Tarpey at the Planning Commission. LRPC is working on getting a grant, through the state but from EPA, on further phosphorus testing and wants to involve towns in our part of the watershed (Tuftonboro, Sandwich, Center Harbor, Moultonborough.) The Commission approved, by consensus, Bill continuing to work on this, but also said Planner Dan Merhalski should be consulted, since the BoS would need to be involved if we were to commit the town to anything.

Next Meeting: Since the next regularly scheduled meeting would be on Labor Day, the Commission decided to meet on the next day, Tuesday September 7, at 7 PM, at Town Hall.

Meeting was adjourned at 9:30.