

**CONSERVATION COMMISSION
MINUTES
18 DECEMBER 2014**

Present: Commission members Ron Gehl (Chair), Curtis Richard, Charlie Berube, Bill Malay (Alternate), Bob Craycraft (Alternate), Recording Secretary Amy Smith.

Others Present: Greg Anthes, David Bickford, Society for the Protection of NH Forests Representative (Forest Society) Tom Howe.

At 7:05 pm Chair Gehl called the meeting to order and designated Mr. Craycraft and Mr. Malay to sit in as voting members.

Public Hearing - Clarke Conservation Land - Map 251 Lot 012 - Berry Road

Chair Gehl opened the public hearing regarding expenditure of \$43,350 from the Conservation Fund for the acquisition and related costs of purchasing the property from Mrs. Clarke for conservation purposes. The Forest Society will assume fee ownership of the parcel as an expansion to its Cooper Cedar Woods reservation.

Chair Gehl noted the importance of this particular property as not only having a high conservation value as a buffer to the aquifer but also as a wildlife corridor. Chair Gehl noted the addition of the Clarke piece connects the Cooper Cedar Woods reservation to the New Durham Town Forest and the Merrymeeting Marsh owned by NH Fish & Game. Chair Gehl noted the importance of connectivity of land to wildlife. Chair Gehl also noted the property adds approximately 750' of frontage along Route 11.

Chair Gehl also noted the adjacent Cooper Cedar Woods reservation is an Atlantic White Cedar habitat. The Clarke property has cedars on approximately 2/3 of its acreage (the total acreage of the property is approximately 38 acres). Chair Gehl passed out handouts prepared by the Forest Society for the Commission members and audience to review. Chair Gehl noted the property has limited potential for conventional development due to wetlands but is of great importance to natural resources and adds protection to the aquifer.

Mr. Bickford asked what 'palustrine', as shown on the handout, means. Chair Gehl stated palustrine means a non-coastal or inland wetland. Chair Gehl also explained that the Clarke property has one of the highest classed aquifers for transmissivity in the State with portions of the property at greater than 4,000 feet square per day. Chair Gehl explained that transmissivity means how easily water moves through the ground. Chair Gehl noted that the high transmissivity means the area recharges very well, however, it is also easily contaminated.

Mr. Bickford asked if the Forest Society is purchasing the property from Mrs. Clarke. Mr. Howe stated it is. Mr. Bickford questioned if that means the property becomes off limits should the Town need a municipal water supply in the future. Mr. Howe stated there is nothing that would automatically prohibit a municipal water supply on the property once the Forest Society owns it, however, he cannot guarantee they would approve one either.

Mr. Howe noted the importance of the property as it supports species that depend on wetlands. Mr. Howe noted the property would be kept on the tax rolls and pays timber tax when timber is harvested. Mr. Bickford asked if the property is in current use. Mr. Howe stated it is. Mr. Howe also noted the property would be open for public recreation pursuant to Forest Society policies and hunting is allowed.

Mr. Bickford asked many questions of Mr. Howe regarding the property itself and the Forest Society in general. Mr. Bickford stated he has no opposition to conserving the property but doesn't understand why the Commission doesn't purchase the property out right instead of giving money to the Forest Society for them to purchase it. Chair Gehl stated the Conservation Commission does not have the staff to ensure the property is being managed properly. Mr. Howe state the Forest Society has a full time staff including Foresters who manage the property and ensure conservation. Mr. Howe also noted they have many volunteers who notify the Forest Society if something is amiss.

Mr. Anthes asked how the Forest Society is funded. Mr. Howe stated the majority of funds come from donations from individuals and businesses. Mr. Howe also noted 10% - 15% of funds come from endowments and another 10% (approximately) comes from the sale of timber. Mr. Howe stated the Forest Society typically harvests 4 - 6 projects per year. The Forest Society also receives governmental grants.

Mr. Howe stated for the Clarke property there is no intention of harvesting timber because of the cedar stands. Mr. Howe stated the Forest Society may decide to do limited cutting to benefit wildlife.

Mr. Bickford stated, he thinks, if the Town is putting up money they should get some type of guarantees. Mr. Howe noted the Forest Society has a hundred plus year history of good stewardship and it is simply not in their best interest to betray the trust people put into them. Mr. Malay asked Mr. Bickford if he preferred the Town retain ownership of the property. Mr. Bickford stated yes. Mr. Bickford stated he has no issue with the Conservation Commission purchasing the property but believes they should retain ownership. Mr. Howe noted if the Forest Society should ever dissolve the Town has the right to acquire the property, at no cost, if it wants to. Chair Gehl stated there is no benefit to the Town to own the property and the project is best owned and managed by the Forest Society. Mr. Berube stated there is also a cost involved to owning and maintaining the property.

Mr. Anthes stated he felt the idea was a good idea and asked Mr. Bickford what his concern is. Mr. Bickford stated he felt \$86,000 was too much to pay for the property. Chair Gehl stated the purchase price of the property is \$43,350. Mr. Bickford apologized and stated he misunderstood and thought both the Forest Society and the Town were paying \$43,350 each.

At 8:02 pm Chair Gehl closed the public hearing.

Mr. Howe clarified that pursuant to State statute the Conservation Commission is the only entity that can expend money from the Conservation Fund. The Selectmen are the governing body that approves any interest in real estate. The vote the Selectmen will need to make will be to accept the executory interest in the property. Mr. Bickford asked if Mr. Howe had any example language the Board could refer to. Mr. Howe stated he could submit example language but the

Town Attorney will need to review the language. Commission members and Mr. Bickford agreed. Chair Gehl stated he would like the Selectmen to review this in January. Mr. Bickford asked if there are time constraints on the project. Mr. Howe stated the closing date with Mrs. Clarke is scheduled for 12 February 2015. Mr. Bickford asked Ms. Smith to contact Town Administrator Jeremy Bourgeois and ask him to place it on the Selectmen's agenda for their January meeting. Mr. Bickford stated the Selectmen are meeting on 22 December 2014 and it may be a good idea to give them a heads up about the project so they are well aware of it at the January meeting. Chair Gehl stated he would put together a brief summary of the project and email it to Ms. Smith to forward to the Selectmen.

Mr. Craycraft made a motion the Conservation Commission move the Clarke project forward to the Board of Selectmen for their review and approval of an executory interest of Map 251 Lot 012. Mr. Berube seconded the motion. The motion was unanimously approved.

Other Business/Public Input

Mr. Bickford expressed concern regarding the Selectmen's sale of tax deeded property. He urged Commission members to attend, if possible, the Selectmen's meeting when it is being discussed. Chair Gehl and Planning Board Chair Craycraft asked Ms. Smith to send a memo to Mr. Bourgeois requesting he notify the Planning Board and Conservation Commission when they intend to discuss the sale of tax deeded property.

Shoreland Permit Application - Julie Alexenberg & Sharon Stevens - Map 102 Lot 009 - 224 Pine Point Road

Commission members reviewed the Shoreland Permit Application for Julie Alexenberg & Sharon Stevens for property located on Map 102 Lot 009, 224 Pine Point Road. Commission members noted the existing house had burned to the ground and the proposal was for a completely new structure. It was noted that the proposal is an overall improvement as the new septic will be a modern septic and is further away from the Lake.

Shoreland Permit Application - Christopher & Eileen Nevins - Map 122 Lot 003 - 102 South Shore Road

Commission members reviewed the Shoreland Permit Application for Christopher & Eileen Nevins for property located on Map 122 Lot 003, 102 South Shore Road. Commission members felt the addition of catch basins has the potential to improve stormwater management issues.

Wetlands Permit Application - Chris & Karen Shorette - Map 110 Lot 023 - 379D Merrymeeting Road

Commission members reviewed the Wetlands Permit Application for Chris & Karen Shorette for property located on Map 110 Lot 023, 379D Merrymeeting Road. Commission members questioned whether the two large pines on the property actually had to be removed in order for the project to be completed. **Mr. Richard made a motion the Commission send a letter to the State DES recommending they evaluate whether the 2 large pine trees can be retained. Mr.**

Craycraft seconded the motion. The motion was unanimously approved. Commission members asked Ms. Smith to send the letter to the State with a copy to the property owner.

Review of Minutes

Commission members reviewed the minutes of 25 November 2014. **Mr. Craycraft made a motion to approve the minutes of 25 November 2014 as printed. Mr. Malay seconded the motion. The motion was unanimously approved.**

Review of Mail

Commission members reviewed the mail.

At 9:40 pm Mr. Berube made a motion to adjourn. Mr. Craycraft seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary