

North Hampton Conservation Commission
June 13, 2006 – Minutes

1) ROLL CALL

Present when the meeting was called to order at 7:00 p.m. was Chris Ganotis and Chuck Gordon, Co-Chairmen, Lee Brooks, Shirley Carter, Stan Knowles, and Patty O'Connor.

2) CONSIDERATION OF MINUTES – May 9, 2006

After a motion, duly seconded, it was voted to approve the minutes as presented.

3) TREASURER'S REPORT

Delayed pending receipt of the bank statements.

4) OLD BUSINESS

Fogg Conservation Land—trespass problem

The tax map provided was for the wrong property and owner. Chuck will research further for the correct owner and request a copy of the Fogg deed (the one conveying the land to Fogg when they purchased the property) from the Registry. Members agreed that Chris Kane, the environmental biologist could request this in conjunction with other requests relative to the documentation project.

Policy Re Acceptance of Easements on Isolated Wetlands in Developments

A drafted policy dated June 14, 2006 was distributed and reviewed with minor changes suggested and implemented. It confirmed the Conservation Commission's position regarding easements on isolated, land-locked wetlands. The letter also included a request that donors include funds for monitoring. The draft was endorsed and approved for submission to the Planning Board.

5) NEW BUSINESS

Unprotected town-owned lands (appx. 200 acres)

Chris talked about the number of parcels listed as town-owned but not specifically identified as having conservation easements. Members talked about compiling the property list and requesting the BOS place the land in conservation with the caveat that the Conservation Commission would be responsible for the monitoring. The Commission will discuss this further at another meeting.

Winnicut River Stream Gauge – Purchase Contribution

Tim Harned spoke to the Commission and explained that the USGS is seeking local funding due to the loss of federal funds. Tim indicated that the total cost is \$10,000; Portsmouth has committed \$2,500, Stratham \$2,500 and Aquarion Water Company \$2,500 - \$5,000. The information will provide a baseline record of the river's trend and, in addition to other benefits, will help the town see what impact wells are having on it by recording seasonal data on the flow, etc.

It was **MOTIONED** that the Conservation Commission agree to contribute for this fiscal year \$1,000 from the operating budget. Discussion ensued regarding expected and priority budgetary expenses. Tim said that the town would have access to the USGG data on the river's flow and water levels on a year-round basis. He said the data could also be used in conjunction with long range planning in protecting the town's water supply. *The motion was **SECONDED**. VOTE: FOR 3 (Chris, Chuck, Lee); NO 3 (Patty, Stan, Shirley).* Chris reported that there is approximately \$2,000 left in the operating budget and the fiscal year ends June 30. Shirley questioned whether these funds would be expected from the Conservation Commission in the future. *After the **MOTION WAS AMENDED and agreed to by the second**, to stipulate a one-time \$1,000 contribution from the operating budget it was voted 5 – 1 with Patty dissenting.* The majority of members felt the future funding of this should come from the Water Commission.

Seavey Farm Conservation Easements – acreage per deeds

A prior discrepancy in the total acreage was cleared up. The closing has been extended until June 30th or until such time as the Town gets the necessary funding.

Buffington Conservation Parcel – discussion

Chuck inquired if the Commission would like to invite the Selectmen or their representative to the next meeting regarding Selectmen plans for a cell tower on conservation land. Chris questioned setting a precedent in using conservation land for any commercial or non-conservation purposes. It was confirmed that a town meeting vote would be required before a cell tower, or any other facility, could be placed on conservation land. Several questions arose about activity on a parcel of conservation land without the approval of the Conservation Commission. Stan felt that conservation easements should not be broken and Patty asked to review the specific language on the restrictions associated with the Buffington parcel.

The 2001-2002 Warrant article (Article XX which passed by a vote of 837-82), concerning a conservation land exchange, indicating “to restrict the use of the parcels to conservation purposes”, was handed to the Commission by the land donor. The Commission agreed that a cell tower is not a conservation purpose. Audience member Phil Wilson spoke to the Commission and said it should maintain easements as prescribed. Opinions varied about the intent supporting of the language in the warrant article. Resident Dennis Kokernak asked the Board to defend the conservation land and provided several items of correspondence, which he said outlined the Town's responsibilities. He further indicated that all parties agreed to the restrictions, but the Town failed to follow through on its commitment by signing a letter containing such restrictions. He expressed the skepticism in the public trust by future donors if donated land is not protected. Phil Wilson, with the Commission's indulgence, spoke about an approved Planning Board system that will provide cellular phone signals everywhere in Town. He made reference to the zoning ordinance amendment scheduled for hearing on Monday, June 26th.

Chuck and Chris talked about the number of letters generated by the Conservation Commission regarding its prior position against placing cell towers on and abutting conservation land. Several members reiterated their commitment as stewards of conservation land independent of any other action by the Board of Selectmen. It was affirmed that to allow such use would establish bad precedent for the future.

Colin Gagnon – Eagle Scout Candidate Project Proposal

Colin presented a power point presentation for a walking trail on the Treat conservation land. Divided into three parts, Colin discussed parking, the walking trail and possible camping on the property. He exhibited photographs of the parking area, which get vehicles off the road and reported that no trees will need to be cut. He told the Commission he will need a state permit to pave the first ten feet of the entrance and said annual clean-up would be done by the Boy Scouts.

Colin talked about receiving permission from the abutting landowners' to cross their land to construct the walking trail. He plans on using chipped wood and boards over the wettest part of the land. Local companies will be asked to donate lumber and materials. Colin felt that the proposed camping platforms would have a minimal impact on the land. He said the tent platforms are those used in State Parks and fires would be prohibited. Again, the Boy Scouts would be responsible for the clean up of both the camping area and walking trail.

Members of the Commission and audience expressed their appreciation for Colin's presentation. Comments followed regarding unauthorized hunting in the area, liability issues on crossing private land, and how to enforce or monitor the prohibition of fires in the camping area. Suggestions were made to possibly relocate the trail lines away from neighboring property boundaries and to consider a different parking area to accommodate a change in the trail route.

6) OTHER BUSINESS

Chuck excused himself from the meeting at this time. There was further discussion and questions about the 2000 land swap passed by Town meeting in 2001, pertaining to the Buffington conservation parcel. Members agreed to adopt the easement restrictions for the Buffington parcel, as provided in the December 2000 letter from Attorney Peter Loughlin. They further directed Chris to request that the Board of Selectmen sign the document that would uphold the Town's previous commitment to the easement restrictions.

Prior to adjournment, the Commission affirmed its resolve to uphold its stewardship responsibilities to protect conservation land and to reject use of conservation land for commercial purposes.

There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,
Janet Perkins
Secretary