

WOLFEBORO CONSERVATION COMMISSION

May 10, 2010

MINUTES

Members Present: Dan Coons, Chairman, Mike Hodder, Vice-Chairman, Ed Roundy, Randy Tetreault, Lenore Clark, Gail Antonucci, Dave Wheeler, Members, Sarah Silk, Alternate.

Staff Present: Lee Ann Keathley, Secretary.

Chairman Coons opened the meeting at 6:27 PM.

Chairman Coons appointed Sarah Silk, Alternate to sit in for Dave Wheeler, Member.

Consideration of Minutes

April 12, 2010

Corrections:

Page 3, 10th paragraph; change "24D" to "2-4-D"

It was moved by Sarah Silk and seconded by Mike Hodder to approve the April 12, 2010 Wolfeboro Conservation Commission minutes as amended. All members voted in favor. The motion passed.

Consideration of Dredge & Fill Minutes

April 12, 2010

It was moved by Mike Hodder and seconded by Sarah Silk to approve the April 12, 2010 Wolfeboro Conservation Commission Dredge & Fill minutes as submitted. All members voted in favor. The motion passed.

Dave Wheeler arrived at the meeting therefore, Chairman Coons appointed Sarah Silk, Alternate to sit in for Ed Roundy, Member.

April 22, 2010

It was moved by Randy Tetreault and seconded by Sarah Silk to approve the April 22, 2010 Wolfeboro Conservation Commission Dredge & Fill minutes as submitted. Dan Coons, Mike Hodder, Dave Wheeler, Randy Tetreault, Gail Antonucci, Sarah Silk voted in favor. Lenore Clark abstained. The motion passed.

Ed Roundy arrived at the meeting. Sarah Silk no longer sitting in for Mr. Roundy.

Discussion Items

➤ Earthweek

Dan Coons stated he guided a walk at Ellie's Woodland Walk; noting 15-20 people present. He stated he also spoke at the "Know Your Nonprofits" presentation hosted by Josh Arnold, GALA.

Sarah Silk stated there was a good turn-out for TV monitors and monitors dropped off at the dump.

➤ **Bill Rae Conservation Area**

Dan Coons questioned whether the Commission would be interested in making improvements to the area; placing gravel and a picnic table in the area where the dedication ceremony was held. He questioned the placement of a gate at the North Line Road entrance.

Ed Roundy stated Sargents Pond is a private road.

Sarah Silk questioned whether a Right-of-Way exists and whether such is in the deed. She recommended checking with the Fire Department regarding the gate.

Randy Tetreault stated there may be a prescriptive easement.

Ed Roundy recommended nonmotorized access to the property.

Mike Hodder stated he would research access via Sargents Pond Road.

➤ **Town's Garden**

Mike Hodder updated the Commission relative to the Food Pantry Garden Committee's current work schedule; noting the old raised beds will be scraped off and piled, a swale will be raised around the garden site, the site will be graded to allow rainfall to runoff to the northwest and away from the marked wetlands, new raised beds to be constructed with internal drainage, new garden shed will be staged in the parking lot until permanently sited and planting to begin during the week of June 1st.

➤ **Wetlands Ordinance Update Subcommittee**

Dan Coons stated the Planning Board is in the process of reviewing and amending the Wetlands Conservation Overlay District Ordinance and has requested two representatives from the Conservation Commission to be appointed to the subcommittee.

Randy Tetreault and Dan Coons volunteered to be representatives to the subcommittee.

➤ **Walt's Woods**

Dan Coons stated there was a meeting scheduled last week with Mr. Leavy however, Keith Fletcher, Moose Mountain Regional Greenways, did not attend. He stated Mr. Roundy was present and another meeting will be scheduled when Mr. Leavy returns to town at the end of May. He stated Mr. Leavy is interested in proceeding with the placement of a conservation easement on the property as well as receiving money for the easement. He verified with Mr. Roundy that he walked the property with Don McBride.

Ed Roundy noted a minor heath in the inlet area beyond the Avery property to the east. He stated the abutting property (Avery property) is a 320 acre parcel (285 acres in current use) with considerable wetlands and stream feeders. He recommended the Commission pursue including the area as part of the easement in addition to the Hubbard property. He recommended working on the Avery property separate from the Leavy property. He stated the O'Dowd complex doesn't have a massive shoreline therefore; the shoreline is in good condition. He stated Mr. Leavy is open to including access for kayaks and canoes (to be used as a destination point).

➤ **Forest Management Plans**

Dan Coons recommended the Commission consider getting formal Forest Management Plans on other properties such as Trask Mountain or Fernald Station; noting Mark Herbert has done some of the properties. He questioned whether the cost of the plans could be deducted from the proceeds of the forestry.

Ed Roundy recommended a plan be done for the Bill Rae Conservation Area.

Dave Wheeler questioned whether the Commission is available for Federal funds / grants and stated he would look into such.

New Business

➤ **Maus property, 7 Delings Cove Road**

Dan Coons stated he received a call from Mr. Klefos (abutter contesting the approval of the boathouse by NH DES) requesting the Commission review the matter and write a letter to NH DES.

Sarah Silk verified the Commission previously reviewed the application.

Dan Coons stated the Commission felt there would be less impact if the boathouse was placed on the other side of the property; noting NH DES approved the placement of the boathouse at the requested location. He stated the Commission recommended review of sediment.

Ed Roundy questioned whether the Commission's position is different from the State's position.

Dan Coons replied yes, the Commission did not recommend approval.

Mike Hodder stated the Commission has already taken a position and expressed concern for further review at the request of an abutter; noting concern that the Commission is being asked by a private citizen to respond to an issue as a Town Board in which the Commission no longer has a role.

Dan Coons stated he would contact Mr. Klefos and inform him the Commission has previously reviewed and commented on the application and such is on file.

➤ **Richard Totaro, 64 Oakwood Road**

Dan Coons stated the BOS have received a letter from Wayne Kelloway who expressed concern that if the docks are improved at the Totaro residence that such would create a different use of the property and set a precedent; build condominiums when the property is not currently zoned for such in that location.

Sarah Silk stated it was a cabin colony before and the use expired; questioning a violation of such. She stated it is understood that it would not be rented rather, it would only be used for family.

Randy Tetreault questioned whether there is a code issue and whether the use for renting has expired; noting such is immaterial to the Dredge & Fill application.

➤ **Lakes Region Household Hazardous Waste Collection**

Sarah Silk distributed the 2010 flyer for such.

➤ **Harriman Hill Conservation Easement**

Mike Hodder stated there are no changes in text since previously reviewed by the Commission; noting recommendations made by the Commission in November 2009 were not incorporated in the conservation easement deed rather the recommendations are only noted in Edie Desmarais' comments. He stated Dan Coon's concern relative to the Conservation Commission being responsible for the construction, management and maintenance of the trail is still in the deed (recommendations were submitted to remove said language).

Dan Coons stated Eastern Lakes Region Housing Coalition preferred the language of the Sewall Woods Easement however, their lawyer would not allow such.

Randy Tetreault stated there needs to be a plan on record that shows the areas as part of the easement document due to the multi-purpose use of the property.

Mike Hodder stated a plan was requested in November 2009 however, the Commission has not received it. He stated the Town needs a maintenance easement for water and sewer.

Ed Roundy questioned whether the Commission has approved the easement.

Dan Coons replied no.

Following review of the submitted easement, the Commission noted the following;

- Page 7; change Merrimack County to Carroll County
- Page 9; change the number of Selectmen to "5"
- Contradiction between conditions 3 & 8 relative to forestry and cutting
- No easement plan submitted
- November 2009 recommendations not incorporated
- Include maintenance easement on plan

It was moved by Mike Hodder and seconded by Dave Wheeler to adjourn the May 10, 2010 Wolfeboro Conservation Commission meeting. All members voted in favor. The motion passed.

There being no further business before the Commission, the meeting adjourned at 7:50 PM.

Respectfully Submitted,
Lee Ann Keathley
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