

# WOLFEBORO CONSERVATION COMMISSION

March 9, 2015

## MINUTES

**Members Present:** Dan Coons, Chairman, Lenore Clark, Gary Mason, Gail Antonucci, Ed Roundy, Members, Sarah Silk, Alternate.

**Members Absent:** Randy Tetreault, Vice-Chairman, Art Slocum, Member.

**Staff Present:** Lee Ann Keathley, Secretary.

*Chairman Coons opened the meeting at 6:50 PM at the Wolfeboro Public Library.*

*Chairman Coons appointed Sarah Silk, Alternate, to sit in for Randy Tetreault, Member.*

### I. **Consideration of Minutes** **February 16, 2015**

**It was moved by Lenore Clark and seconded by Gail Antonucci to approve the February 16, 2015 Wolfeboro Conservation Commission minutes as submitted. All members voted in favor. The motion passed.**

### II. **Discussion Items**

#### A. **Special Use Permit Pre-application Discussion re: John & Pamela Hopkins, Old Keewaydin Road**

David Aiton, White Mountain Surveying & Engineering Inc., stated the property is located on Old Keewaydin Road and the proposal includes the permanent removal of multiple structures (two garages and a storage shed). He stated the existing house would be removed however, the applicant proposes the construction of a single family dwelling and attached garage that will encroach into the wetlands buffer. He stated a guest cottage and storage shed will remain and the driveway would be reconfigured.

Sarah Silk questioned the buffer setbacks.

David Aiton replied 25' for the no touch buffer and 30' for the wetland setback. He stated the proposed structure would be 5' from the setback and reviewed the existing and proposed encroachments, see attached. He stated all the existing structures that are currently located in the wetland will be removed; noting the overall proposal is viewed as a benefit. He stated Rob Houseman is agreeable to the concept however, recommended a pre-application discussion with the Commission.

Jim Rines, White Mountain Survey & Engineering, Inc., stated a Special Use Permit application will be submitted to the Planning Board.

Lenore Clark asked how long the residence has existed.

Jim Rines replied either the 1930's or 1940's.

Gary Mason questioned the necessity of a garage.

Jim Rines stated the home being constructed is the owner's retirement home in which they would reside in year round. He stated there is a primitive existing septic system however, the owner has an easement to the adjacent lot for the placement of a septic system; noting the septic would be off site.

Dan Coons asked if the applicant owns the adjacent lot.

Jim Rines replied no however, the applicant maintained the easement for the septic system.

Sarah Silk questioned water supply.

David Aiton stated the lot is serviced by a private water main that is part of Osseo Association.

Lenore Clark asked if NHDES has been contacted.

Jim Rines replied no however; a NHDES Dredge & Fill application and Shoreland Permit application would be required.

Dan Coons questioned the size of the lot.

David Aiton replied 275'x350'.

Dan Coons asked if the square footage calculations were done.

David Aiton replied no.

Dan Coons questioned the type of tree cover.

Jim Rines replied pines with a mature over story.

Dan Coons asked if the wetlands are forested and poorly drained.

Jim Rines replied yes. He stated if there are no objections a Special Use Permit application would be formally submitted.

**B. Towns Garden 2015 Intern**

Ed Roundy stated an intern from the high school is important because the high school is involved with the land at the present time. He stated a high school student is more in line with the will of the property.

Gary Mason stated he is sympathetic to the situation however, disagrees with having a student supervise themselves; noting such sets the program up for an unsatisfactory condition. He asked who supervises the student.

Staff replied Susan Poirier.

Dan Coons stated a job description is needed.

Sarah Silk recommended the Food Pantry personnel and gardeners oversee the intern's work.

The Commission agreed to the following;

- Dan Coons contact Susan Poirier and schedule a meeting
- Develop a job description
- Timesheet sign off by master gardener and Town staff
- Student to arrange a set schedule with Food Pantry/garden personnel

**C. Cricket Hill Estates Subdivision; Common Land Acquisition**

At the request of Dave Owen, Town Manager, the Commission reviewed a request to acquire the common area of the Cricket Hill Estates subdivision, currently owned by Bucky Melanson. Mr. Melanson is interested in gifting the land to the Town; noting the property is deemed an unbuildable lot per the Planning Board approval of the subdivision which requires the property be held in common for the benefit of the other lot owners.

Sarah Silk stated Chris Karstadt had recommended use of the property for a ballpark however; she spoke to Ethan Hipple who stated he is not interested in such due to the following issues; parking (lack of), remote location, staffing, lack of funds to maintain the property, trash receptacle pick up and portable toilets. She stated Mr. Hipple stated the property is not a viable location for a ballpark. She stated a pocket park for the residents of the subdivision is a possibility with the property owners maintaining such.

Gary Mason stated he didn't envision any improvements being done to the common area/property.

Ed Roundy stated the property is a mess from the logging activity and expressed concern regarding such.

Dan Coons stated there is no intention for the loggers to return and clean up the property. He noted there is not sufficient root structure for the existing trees to survive. He stated he does not have an issue with acquiring the green space however, he does not foresee the Commission improving the property.

Sarah Silk recommended against taking the property prior to the resolution of the deed issues, as noted in Todd Haywood's letter, dated December 23, 2014.

Gary Mason stated he would have been more amenable to the acquisition prior to the logging and current condition of the property in addition to the property owner not wanting to pay taxes on the lot.

Lenore Clark asked if the property could be developed.

Sarah Silk replied no, the lot has been deemed unbuildable.

Ed Roundy asked if the open space was required as part of the subdivision approval.

Sarah Silk replied yes.

The Commission agreed to the following prior to further review and comment on the matter;

- Schedule a site visit following snowmelt
- Request a copy of the deed for review by Town Counsel to resolve title/deed and ownership issues
- Resolve issues regarding payment of fees associated with the deed research and legal review (Mr. Melanson to be responsible for such)

**It was moved by Gary Mason and seconded by Lenore Clark to table further review of the Cricket Hill Estates Common Land acquisition until receipt and review of the deed by Town Counsel, resolution of payment for fees associated with such and a follow-up site visit following snow melt. Dan Coons, Lenore Clark, Gail Antonucci, Ed Roundy and Gary Mason voted in favor. Sarah Silk abstained. The motion passed.**

### **III. Old/New Business**

#### **Wetlands Complaint**

The Commission reviewed a wetlands complaint against Paul Kimball from William Piper, Filter Bed Road.

Sarah Silk stated she is not aware of any history of complaints regarding such.

Dan Coons stated he would contact Mr. Piper.

Sarah Silk recommended Mr. Coons contact the Town Manager prior to contacting Mr. Piper.

#### **Town & City Publication**

Sarah Silk stated the recent issue provides information on Agricultural Commissions; noting she would provide copies of such to the Commission.

### **IV. Informational Items**

The following information items were provided to the Commission; Saving Special Places Conference, NHTOA workshops and NHDES correspondence.

**It was moved by Ed Roundy and seconded by Lenore Clark to adjourn the March 16, 2015 Conservation Commission meeting. All members voted in favor. The motion passed.**

*There being no further business before the Commission, the meeting adjourned at 8:01 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

Lee Ann Keathley

**EXISTING AND PROPOSED ENCROACHMENTS**

ENCROACHMENT	EXISTING	PROPOSED
AREA OF BUILDINGS WITHIN JURISDICTIONAL WETLANDS (SF)	723	0
AREA OF BUILDINGS WITHIN WETLANDS BUFFER (SF)	942	764
AREA OF DRIVEWAY WITHIN WETLANDS BUFFER (SF)	2,369	2,179
TOTAL ENCROACHMENT WITHIN THE WETLANDS BUFFER (SF)	3,311	2,943
AREA OF BUILDINGS WITHIN WETLANDS SETBACK (SF)	286	446
AREA OF DRIVEWAY WITHIN WETLANDS SETBACK (SF)	580	568
TOTAL ENCROACHMENT WITHIN THE WETLANDS SETBACK (SF)	866	1,014
LIVING SPACE WITHIN SHOREFRONT SETBACK (SF)	225	0
OTHER BUILDING WITHIN SHOREFRONT SETBACK (SF)	106	221
TOTAL ENCROACHMENT WITHIN THE SHOREFRONT SETBACK (SF)	331	221