

# Draft

## TAMWORTH CONSERVATION COMMISSION

Minutes

May 12, 2008

*Draft minutes to be reviewed at a subsequent meeting.*

### **Present:**

**Members: Scott Aspinall, Bill Batchelder, Ned Beecher, Bryan Berlind, Dave Haskell, Charlie Townsend, Donna Veilleux**

**Planning Board Representative: David Cluff**

**Alternates: John Mersfelder, Jeremy Phillips**

### **Call to Order and Seating of Alternates**

- The meeting was called to order at 7:06 PM.
- John Mersfelder substituted for Charlie Townsend.
- Jeremy Phillips substituted for Scott Aspinall.

### **Approval of Minutes**

- Bryan Berlind moved, and Bill Batchelder seconded, to approve the minutes of 4/14/08 as corrected. The motion passed, 7-0.

[Jeremy Phillips stepped down upon the arrival of Scott Aspinall and Dave Haskell.]

### **Public hearing on McConarty Conservation Easement**

- Opened at 7:24.
- Attorney Rick Sager has reviewed the document and made minor changes as well clarifying that the grantor reserves the right to control beaver activity.
- The public was invited to comment.
- It was noted that although Mr. McConarty has put the property on the market, he is interested in continuing with creating the easement.
- The only expense to date has been for the legal review, although time has been spent on drafting the easement and consideration of the project.
- Bryan Berlind moved, and Dave Haskell seconded, to recommend that the Select Board accept the McConarty easement, subject to boundaries being marked on the ground. The motion passed, with John Mersfelder abstaining.
- The public hearing was closed.

### **Cersosimo Land Purchase**

- A follow up letter was sent to Michael Cersosimo, President of Cersosimo Industries, outlining the history of the project and expressing disappointment in the outcome after having expending time and effort on the project. The letter

made clear that the TCC's offer on the property remains, if Cersosimo should reconsider.

### **Cronan Special Use Permit Wetlands Application**

Steve Danielovich of Forest Land Improvement was present to discuss proposed construction of two small ponds on this property east of Mountain Road in So. Tamworth. For the landowner, he has submitted a state Minimum Impact Dredge and Fill application and a town Special Use Permit (SUP). He has requested review by the Town first, since the local ordinance is more stringent. The Planning Board has accepted the SUP application as complete.

- Jeremy Phillips stepped in as an alternate for Scott Aspinall, who recused himself since he works for Forest Land Improvement.
  - The property on Mountain Road in South Tamworth was visited by members of the Wetlands and Subsurface Committee on Friday, May 9<sup>th</sup>. A vernal pool is bisected by the property line. Wetlands have been delineated by Irene Garvey.
  - The intent is to put in two ponds. Digging will be in both hydric B wetlands and uplands.
  - The Commission discussed the vernal pool, soil types, surface and ground water flow, and drainage. The importance of stabilizing the bank and slope down-gradient of the pond site quickly was noted.  
[Charlie Townsend arrived.]
  - Steve Danielovich has discussed this project preliminarily with NH DES.
  - Concern was expressed about sediment control and hydrological changes to the vernal pool.
  - The downslope berm on the pond will be constructed with dredged material.
  - Bryan Berlind moved, and Donna Veilleux seconded, to respond to the Planning Board that the applicant submit this application to the DES for their response, having paid attention to the down slope vernal pool, whereupon we revisit the special use permit application. The motion passed, with Scott Aspinall recusing himself.
  - It was agreed that, if the vernal pool concerns are amply addressed, with DES attention and consultation, that the Commission is prone to recommend that an SUP be granted, because the project creates new hydric A wetlands and the hydric B areas being affected are minimal and of relatively lower value. There was discussion of the idea that having just the lower, larger pond would result in less impact on hydric B areas, but it was also noted that minimization of impacts is not a stipulation in Section E(1)(b), the SUP option being asked for by the applicant and this cannot not be required of the applicant. There was brief review of how the proposed project meets the intents and purposes of the ordinance, although it was noted that Section E(1)(b) does not require specific adherence to the intents and purposes, as is required in Section E(1)(c).

John Mersfelder stepped down as alternate and Charlie Townsend, who had just arrived, stepped in.

### **Bearcamp Valley Snowmobile Club SUP Application**

- The Bearcamp Valley Snowmobile Club Special Use Permit application was approved by the Planning Board. The applicant has agreed to put in bars and gates to keep illegal summer ATV use of the trail to a minimum.

### **Monkey Trunks**

- John Mersfelder and Ned Beecher met with the developers. The initial phase is opening soon, with no impact on wetlands. The second phase of the development is planned for 2009 and has potential wetlands impact, according to Ned, who walked the site with the owners.
- Ned recommended to them that a wetlands scientist delineate the wetlands, and he provided a list of local scientists obtained from the online state registry.
- Commission members have been invited to attend the free opening day.

### **Shoreland Protection Act**

- The 2008 changes do not go into effect until July 1, although certain elements were not delayed and are now in effect (since April 1), such as the Act applying to fourth order streams.

### **Committee / Coordinator Reports**

#### **Wetlands and Subsurface Committee**

- The committee conducted a site walk at the Cronan property (see above).

#### **Managed Lands and Trails Committee**

- David Haskell reported a good turnout on the May 3<sup>rd</sup> trail cleanup day. Thanks to him, Bryan, Jeremy, and David Halpin for their help.
- David Haskell will make recommendations on the type and color of blazes for consistency on all TCC trails.
- The Remick Trail description and brochure should be updated.
- National Trails Day is June 7<sup>th</sup>. Participants will meet at the Town House parking at 8 AM to complete additional work on TCC trails.

#### **Publications, Publicity, Outreach and Education Committee**

- Bryan Berlind and Donna Veilleux will work to inform the general public and contractors about wetlands, buffers and the Tamworth Wetlands Ordinance. It was suggested that the list of environmental ordinances be added to the packet of information on building in Tamworth.

#### **Energy Committee**

- Chair Donna Veilleux reported that a grant proposal for \$2,000 has been submitted to the New England Grassroots Environmental Fund.
- The committee is working with Willie Farnum and PSNH to review the town's main buildings and street lighting with regards to electricity use.
- A no-idling agenda is being reviewed.
- The committee plans on doing outreach at Family Day, the Farmers' Market, and the Recycling Center.
- Donna Veilleux will look into the product offered by a local company that claims to clean the wavelength of electricity, eliminating up to 20 percent waste.

### **Easement Monitoring**

- The Aspinall Easement files seem to be missing.

### **Household Hazardous Waste Day**

- Donna Veilleux reported that volunteers will be in Ossipee and Moultonborough on August 2<sup>nd</sup> from 8:30 to 12:30.
- The event will be publicized at Family Day.

### **Conservation Lands Review**

- After nearly two years of work, a Natural Resource Inventory of the town is nearly complete, with maps and graphs to be incorporated.
- The Inventory will be presented to the Commission, which acts as a land trust.
- The CLR committee recommends that the Commission accept the standards and practices of the Land Trust Alliance, with some modifications; a set of recommendations is included in the committee's recent minutes and the Commission will address them at a subsequent meeting.

[Scott Aspinall left the meeting].

### **Ordinance Review Committee**

- No report available.

### **Select Board's Representative**

- No report available.

### **Planning Board Representative**

- David Cluff reported on the Ossipee Valley Snowmobile project, as noted above.
- The Green Mountain Conservation Group checklist considered at the last meeting was provided to the Planning Board by David Cluff and he will return them to Green Mountain.
- David Haskell will get the checklists from the Select Board to Green Mountain.

## **Administrative**

### **Budget Coordinator Report:**

- Charlie reported that the current Conservation Fund balance is \$62,527.44, with interest being the only change.
- The operating fund is unchanged except for \$1,000 charged to the professional fees line. This amount should have come out of the Conservation Fund. Charlie had not submitted a payment request, and there was some uncertainty as to how this payment came about. Charlie Townsend will check into this.

### **Administrative Assistant's Report:**

- The Members' Manual can be found on the desktop of the town computer. Hyperlinks direct members to pages and forms for printing.
- Minutes of non-public sessions will be sealed in an envelope, labeled with the date when they are to be opened, and hand-delivered to Cassandra.

- Ned Beecher will check with the Local Government Center on their recommendation for unsealing minutes with no opening date. These will be held in a repository of the town.

**Great Hill Tower:**

- The design for the planned paper plaque for the Great Hill Tower was presented. (It designates that tower as a national historic lookout.)
- The plaque may be installed on Trails Day.

**Committee Assignments:**

The following committee assignments were agreed upon:

- Wetlands and Subsurface: Bryan Berlind, Chair; Bill Batchelder, Vice-Chair
- Publicity: Donna Veilleux, Chair; Bill Batchelder, Member; John Mersfelder, Consultant; Jeremy Phillips, to be invited as a member.
- Easement Monitoring: Claes Thelemark, Chair
- Conservation Lands Review Committee: Chris Conrod and John Mersfelder
- Ordinance Review: Ned Beecher and Bryan Berlind
- Energy Committee: Donna Veilleux is the TCC Representative and Chair.
- Ned Beecher, as Chair, is ex-officio member of all committees and would like to be notified of all committee meetings.
- Chairs are encouraged to recruit more members from outside the Commission.
- Nominating Committee: Charlie Townsend

**Other Business, Future Agendas:**

- John Mersfelder requested that at a future meeting the Commission consider renaming the Spur Trail to the Peg King Spur Trail.
- Donna Veilleux requested that a discussion of Family Day be placed on a future agenda.
- Bryan Berlind suggested rotating agenda items so that certain subjects do not always come up at the end of the meeting.

**Adjournment**

- David Haskell moved, and Bryan Berlind seconded, to adjourn the meeting at 10 PM. The motion passed with no objections.

*Minutes respectfully submitted by Susan Ticehurst and Ned Beecher, May 18, 2008.*