

## **Tamworth Conservation Commission**

Draft Minutes – March 11, 2013

*Draft minutes to be reviewed and approved at a subsequent meeting*

**Call to Order** – Ned called meeting to order at 7:05pm. Commissioners present were Ned Beecher (Chair), Nelson O'Bryan, Rich Gerard, Chele Miller, Bob Seston, William Batchelder and Margaret Rieser.

Also present: Mark Lane; Eric Dube, prospective candidate for TCC Alternate; Jim Hoenscheid, CMI; Dom Bergen attended later in the meeting.

**Approval of Minutes for 02/11/2013** – Nelson moved to accept, Chele seconded. Batch offered a correction under Wetlands Matters: “Bob Wheeler” should be changed to “John Wheeler.” Minutes were accepted as corrected.

### **Administrative**

**Treasurer's Report** – Monthly statement is not available, probably because there is no approved budget yet and no expenses have been submitted to the Finance Officer. Received bill from R. Sagar for legal expenses. \$43.75. Agreed bill should be submitted for payment.

**Announcements** – Ned announced that the annual Saving Special Places conference would be on April 6.

**Membership** – Ned reviewed that Chele would accept another term, Margaret declined but is willing to help out with Commission work. Eric Dube is interested in being involved with TCC. Ned explained to Eric that a good place to start would be as an Alternate. Eric graduated from The Community School and Sterling College (sustainable agriculture major); he has only missed one town meeting in his life. Ned described the duties of an Alternate. Chele sought clarification on swearing-in. All new terms (including present members) need to be sworn in after the Selectmen make appointments.

### **Wetlands and Sub-surface Committee: Wetlands Matters**

**Petitioned Ballot Initiatives** – Ned reminded that the town election is tomorrow (March 12). The Commission is opposed to Articles 2 and 3. Ned encouraged everyone to vote.

**Saint Andrews wetlands application to Planning Board** – Ned reported that the Planning Board accepted the application as complete. TCC should be receiving a copy of the application and plans for comment to the Planning Board. Ned assigned it to the Wetlands & Subsurface Committee for review before the April public hearing scheduled by the Planning Board.

**Public Comment** – Jim Hoenscheid thanked Ned for a good exchange at Candidates' Night. He wanted it to be clear that he received an unsolicited invitation to participate there. Bob Seston confirmed this and stated that he (Bob) suggested to John Wheeler that a CMI representative be invited to speak to the petitioned articles. It was unfortunate that uninformed people assumed that Jim had inserted himself into the proceedings.

Jim stated that the Supreme Court opinion (Maud Anderson vs. Motorsports Holdings) could be interpreted in different ways. The decision was based on what was taken up by the lower court. There was no full discovery. The review was on the ordinance; discrimination wasn't part of the argument. Ned replied that lack of discrimination was cited by the court. Jim clarified that CMI's argument is based on what happened after the decision. Ned stated that he saw no

discrimination. Jim replied that TCC was aware of the ordinance, but took no action on it before 2004. Jim believes that discrimination is still happening. Ned stated that he is only concerned with the integrity of the Commission and TCC has applied the ordinance evenly.

### **Committee/Coordinator Reports**

**Selectmen** – Ned reported that possible wetlands violations reported by CMI will be discussed further at the next Selectmen's meeting.

#### **Conservation Lands Review Committee**

Floyd: Ned reported that the project continues, but barely. CLRC believes the landowner is asking for too much money and that TCC should let the landowner pursue other avenues. Ned put Bob Floyd in touch with Tom Howard, a conservation-minded realtor. This may or may not lead somewhere.

Reich and Gilman-West: The survey for Reich has been completed by Thorne Surveys. A copy will be sent to Tom Howe of SPNHF. SPNHF and the CLRC are planning to do fundraising on Reich and Gilman together. TCC will contribute its best effort to help in fundraising, but there is no set amount that TCC has committed to other than the \$15,000 from the Conservation Fund if needed. Tom Howe first has to get signed purchase & sale agreements with both landowners before fundraising begins. Nelson has submitted a grant application to NH Charitable Foundation to cover 50% of cost for Reich land survey.

Cook: Ned received a better map of the parcel, showing the land on the north side of the river. Rich stated a concern about hydraulic fluid and other potential legacy pollutants in the former log concentration yard. Soil tests may be a good idea, if any project moves forward. At this point, the project is at very preliminary investigative stage; Bob Seston is to contact the landowner.

**Public Education and Outreach** – The Lyceum featured TCC for the month of February. The display was excellent with much help from Chele Miller and David Little. Ten cents per cup if coffee sold will be donated to the Conservation Fund.

**Easement Monitoring** – For the purposes of monitoring, a conjoining of Alt easements into a west group and east group is in progress. This should simplify the job of the easement monitor(s).

**Managed Lands and Trails** – Nelson is looking toward spring trail maintenance. Possible projects include fire tower maintenance and the footbridge at Big Pines.

**Other Business** – At some point during the meeting it was noted that Ned Beecher's car is a Honda Insight (or is it Incite?).

**Adjourn** – There being no other business brought before the Commission, Chele moved, Margaret seconded, motion carried 7:57 pm.

*Submitted by Chris Conrod, TCC Administrative Assistant.*