

## **Tamworth Conservation Commission**

Draft Minutes – February 8, 2011

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

**Call to Order** – Meeting called to order by Chairman Ned Beecher at 7:05 pm. Commissioners present were Chele Miller, Nelson O'Bryan, Bill Batchelder, and Margaret Rieser. Attendees included Skip Nason and Don Bergen (Planning Board); Bob Seston.

**Public Forum for TCC Mission and Activities.** This first period of the meeting was intended to allow for informal discussion of TCC's mission and activities. Ned had encouraged the public to attend, especially because this is the last meeting before the vote at Town Meeting as to whether or not to abolish the Commission. Those members of the public present expressed support for the Commission.

The TCC is invited by the Planning Board to participate in a public discussion/informational meeting on February 28, 5:30 pm at the Brett School, prior to Candidate's Night at 7:00. A planning discussion between the Commission and Planning Board members Skip and Don ensued. Meeting should be informal with two-way discussion, designed to allow the public to ask questions, state concerns, provide suggestions for improvement. Agreed to the following:

- Informational materials should be provided: Possibilities are brochures, posters, slides, trail maps. Ned will produce a single-sheet, three-fold brochure.
- Nice to have greeters; one member from each board/commission; Ned will bring stick-on name tags.
- A talking point crib sheet would be helpful to fill in time when the conversation lags.
- A survey asking questions (multiple choice?) such as What do you like? Dislike? What could/should we do that we presently don't?
- News articles or letters to the editor: The admin assistant will distill Ned's response to the January 5<sup>th</sup> hearing into a letter for review by the Commission.

**Approval of Minutes** – the following minutes were reviewed and accepted:

Meeting 12/13/2010 – Nelson moved, Margaret seconded – motion carried.

Beaver Brook Hearing 12/27/2010 – Batch moved, Nelson seconded – motion carried

Abolishment Hearing 01/05/2011 – Nelson moved, Margaret seconded – motion carried.

### **Administrative**

Treasurer's Report – Charlie not here, there are no budget statements available yet for the current year.

Final Gilman Forest payment to SPNHF – TCC's share of project expenses came to \$3050; this is more than previously approved. Margaret moved to approve the higher total of \$3050 to cover TCC's share of expenses accrued in completing the Gilman Forest project. Nelson seconded. Discussion: Funds have come out of Conservation Fund. Hearing is not required because this is not a Town purchase of a legal interest in land, just project expenses. Motion carried.

Beaver Brook project. Fund-raising efforts covered the entire cost of the project. The \$5000

expenditure previously approved on 12/27 was not needed.

Special Use Permit for Big Pines – Letter from State approving renewal of the permit was received.

Membership – Ned and Charlie agree to stay on. Charlie would be willing to give up the treasurer duties if someone were willing to take it on. Ned will recommend to the Selectmen to reappoint himself and Charlie for another term (3 years).

Monitor Landfill. – Batch will make sure that it is accomplished.

Announcements. Two forestry wetland notifications were received.

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

Prime wetlands on Tax Map 209, Lot 13 – TCC received copy of letter from NH Wetlands Bureau informing the Landowners (Grace) that their wetlands impact forestry notification was disqualified because records on file at the State show that the proposed work is to be done in and within 100 feet of Prime Wetlands. Tamworth records agree. Ned looked into it and learned that two recent developments at the State level have a bearing on why this is a “new” occurrence: (1) All prime wetlands are now in the GIS system so it's easier for the state to identify lots with prime wetlands, and (2) in 2009 the State officially amended its jurisdiction to include a 100' buffer around all prime wetlands. All State permitting in prime wetlands requires a major dredge and fill application. Ned visited the property with Harold Cook and Roy Grace on 2/6/11 and found it to consist of upland with wetland fingers extending into it. The wetland boundaries were plainly different from what is delineated on the map but it would require a certified wetlands scientist to create an accurate delineation, which would be expensive. Ned has been in contact with the landowners and is working to find the best solution for allowing them to use their land within the requirements of state regulations. He outlined some options:

- Re-evaluate prime wetlands, quantitative (location and delineation) and qualitative (do the values deserve prime status?). Make recommendations to town for any changes. (Town votes to designate prime wetlands delineated to state standards; State administers and enforces the prime wetlands regulations.)
- Recommend to landowners that they file a major dredge and fill application or investigate options for a waiver. Assist them in the application process.
- Provide assistance to the landowners in procuring a re-delineation of the wetlands boundary, with the possible inclusion of funding for hiring a wetlands scientist.

General agreement that the first step would be to investigate the expense of re-delineation of prime wetlands, either at a single case basis (this lot) or at a larger scale. Ned will ask TCC alternate Bryan Berlind to research this.

### **Committee/Coordinator Reports**

Planning Board (Skip) – It's been a busy two months. Zoning ordinance will not be on the ballot; PB is looking for help to improve the ordinance before presenting it to the voters. A brochure explaining the PB's mission and duties is being developed (see Public Forum above).

Easement Monitoring progress report – State LCIP easements are done.

Ad hoc Committee on Land Protection

Gilman Forest update (Tax Map 414, Lot 18) – Baseline doc. almost done. MOU with SPNHF regarding horse trails is being developed.

Beaver Brook Lot (Tax Map 420, Lot 46) – Closed Dec 30, The Community School is now the owner. Private donations covered all expenses, including a little added to the Stewardship Fund. Easement is in the works. Bob Floyd and TCS are very happy with how things turned out. Bob is looking forward to working with TCC to find a means of protecting the remainder of his property.

Reich / Hackett Hill (Tax Map 414, Lot 17) – Owners are talking with SPNHF about conservation of this property. Tom Howe (SPNHF) asked about doing a project with TCC similar to Gilman Forest. TCC consensus is supportive of the concept but reluctant to commit to any set amount of local fundraising (and certainly not more than 50%) and that it would be hard for local fundraising prior to 2012.

Hertel Lot (Tax Map 420, Lot 13) – Owner was ready to bring in logging crew while the committee was in discussion with him concerning conservation options. An agreement was reached between landowner and committee that logging would be held off pending further negotiations, but the owner would be compensated for half of the cost (\$2000 maximum) of the loggers bringing their equipment back if negotiations fell through and the owner decided to resume cutting. An anonymous donor supplied \$10,000 that might cover this but at present it is held in trust by Alpine Title and is being used as earnest money accompanying a proposed Purchase and Sale agreement. Nelson stated that the sub-committee shouldn't be committing funds without a public meeting of the TCC. Ned emphasized the lack of any other options, given the immediate action that was required, and that he felt strongly that private support to cover any expenses accrued so far could be acquired. General consensus by the Commission is support for project. Question was raised: Should TCC use conservation fund as bridge loan when quick action on a conservation project is needed. Maybe. Ned will research.

**Groundwater Protection Ordinance;** Ned and Kathy worked on it to help Planning Board. PB accepted a revised and improved version after public hearings. It will be on the ballot in March. Chele moved to endorse the proposed GPO. Margaret seconded. Motion carried unanimously.

**Other Business** – none.

**Adjourn** – Batch moved, Margaret seconded, motion carried at 9:57 pm.

Submitted by Chris Conrod, TCC Administrative Assistant