

Tamworth Conservation Commission

Draft Minutes – December 13, 2010

Draft minutes to be reviewed and approved at a subsequent meeting

Call to Order – Meeting called to order by Chairman Ned Beecher at 7:03 pm. Commissioners present were Chele Miller, Nelson O'Bryan, Bill Batchelder, and Margaret Rieser. Attendees included John Roberts (Board of Selectmen); Skip Nason and David Little (Planning Board).

Approval of Minutes – Nelson moved to accept the minutes of October 11, 2010 with no corrections. Batch seconded, motion carried. (There was no November meeting.)

Administrative

Treasurer's Report – Charlie absent. Ned reported \$1970.23 remaining in the TCC annual budget. The clerical line item should be mostly used up by end of year; Ned authorized a payment to Theresa Swanick for legal work on the Beaver Brook project. Nelson has an outstanding bill of \$40 for trail maintenance (Jackman Pond bridge).

2011 Budget; report on meeting with Selectmen – Charlie and Ned met with Selectmen and presented the proposed TCC 2011 budget. The Selectmen accepted the budget as presented.

Bills to be paid

- \$202.50 to Theresa Swanick for assistance with Beaver Brook Lot work (already paid)
- \$35 to Ned Beecher for lock and \$25 (already paid) to D. Bowles for Page Hill gate
- \$20 to Sheldon Perry for cement for Page Hill Trail gate installation
- \$395 to Alpine Title for title search & closing for Beaver Brook Lot
- Margaret moved to authorize payment of unpaid bills, Chele seconded; motion carried.

Gilman Forest Project – Ned announced that the Gilman Forest project closed 09/30. The total cost was \$146,000+/-, split with the Society for Protection of NH Forests (SPNHF). TCC has an agreement with SPNHF to split closing costs and title search and other expenses. The anticipated share for TCC was \$8841; this amount was previously discussed and approved by vote of TCC. However, there were additional costs in the title search and legal expenses. The total expended was \$25,004.40, which would put TCC's share at \$12,502.20. Most of this has already been credited to TCC because of 1) money TCC spent on fundraising (\$652.40) and 2) donations that were delivered directly to SPNHF for this project. There still needs to be some reconciliation between TCC books and SPNHF books (due to two organizations involved in fund-raising for one project), but the maximum outstanding debit needed from TCC to cover one-half of the closing and title search costs is \$2114.80 (might end up being \$490 less). TCC still has \$4155.78 unencumbered funds in the Gilman Fund. To pay off the outstanding amount owed to SPNHF (\$2114.80), and to conserve or enhance the stewardship line item in the Conservation Fund, Ned suggested taking some money from the projected surplus in the 2010 annual budget, and some from the Gilman fund. The remainder in the Gilman fund would then be placed in the Stewardship line item (Conservation Fund monies that are dedicated to conservation easement monitoring and enforcement). Discussion ensued. Nelson and John Roberts both suggested that not taking any annual budget funds to pay for a land conservation project would be a better approach. Nelson moved to authorize payment to SPNHF, not exceeding \$2114.80, for the purposes of covering TCC's share of the expenses incurred during the Gilman Forest project, the remainder of the Gilman project funds to be placed in the stewardship line item of the Conservation Fund. Chele seconded. Motion carried.

Gilman Forest Baseline Documentation and Memorandum of Understanding – Ned announced that the Gilman Forest BLD, prepared by SPNHF, has been reviewed by him and the TCC administrative assistant, and will soon be returned with corrections and suggestions to SPNHF. A final draft is expected shortly. An MOU between TCC and SPNHF concerning trails and recreation needs to be finalized.

Gilman Project Committee Minutes – Ned suggested unsealing the non-public minutes of the Ad Hoc Committee for Land Conservation during the negotiation and fund-raising process for the Gilman project. Nelson suggested reviewing the minutes first to see if donor or potential donor names are in them, which might compromise any explicit or implicit expectation of anonymity. There was general agreement to review non-public minutes before unsealing them.

TCC Membership – Kathy Bunker has to leave the commission for personal reasons (positive reasons). Ned and Charlie's terms will expire in March. Both are weighing their options. It would be good to brainstorm names for potential recruitment, nomination.

Special Use Permit for Big Pines expires 12/31/2010 – Bob Hardy (NH-DRED) will start processing paperwork for renewal and send it for TCC review. Ned will distribute it when it comes in.

Announcements – Ned said the Capital Improvement Committee Report has been delivered. As previously agreed, TCC is not included in any recommendations for capital improvement funds because it has its own Conservation Fund.

Next Meeting – Ned will be gone Jan 10th, the next scheduled TCC monthly meeting. Agreed to postpone to Jan 17th (the following Monday) as a tentative date, depending on whether or not there are any pressing issues that can't wait until February.

Wetlands and Sub-surface Committee: Wetlands Matters

Celko / AT&T / Durrell Rd. (Tax map 414, Lot 10) – ATT eliminated the first wetlands impact on their plan submitted for TWO Special Use Permit approval of cell tower access road, which met and went beyond suggestions made by TCC. Kudos to the applicant. The Planning Board approved the application.

McConarty (Tax map 206, lots 100 & 116) – Ned reported sending a letter to NH Wetlands Bureau corroborating Irene Garvey's (Abenaki Services) report of completion of all wetlands remediation work.

Committee/Coordinator Reports

Selectmen – John R. reported that the Angel Auto (Chocorua Village) vehicles have been removed and the area cleaned up. The TCC strongly applauded the Selectmen's work on this over the past several years. This removes a significant threat of surface and groundwater contamination in the Village.

Planning Board – Skip N. reported work on Innovative Zoning Ordinance; next public hearing will be Dec 22 at the Brett School. Wednesday's meeting (12/15) will be a work session for the groundwater ordinance. Tomorrow night (12/14) will be CMI hearing (no public comment) at the Brett School.

Ordinance Review Committee – Ned reported that the committee continues to meet sporadically; one more meeting on January 3rd and then maybe wrapping up.

Easement Monitoring – Progress reports: Margaret and Chele will team up on Olton easements. Nelson completed the Perkins easement site walk; question on property line. TCC, TCS and abutter should get out there and see if all can come to agreement. Nelson will remind Ned.

Managed Lands and Trails

- Jackman Pond Trail bridge – Nelson report – bridge repaired
- Mowing – Nelson report – Bob Hammond mowed Bearcamp Field.
- Batch has taken in map boxes at White Lake and 4-Corners.

Energy Commission – Ned attended last meeting; blower door test on town office, didn't do to well. Report and recommendations will be coming from Energy Commission.

Ad hoc Committee on Land Conservation

- Gilman Forest update (Tax map 414, lot 18) – Project is done except for bookkeeping and housekeeping chores discussed above.
- Beaver Brook Lot (Tax map 420, lot 46) – The Community School (TCS) has Purchase & Sale Agreement with seller; closing end of year if possible. Funds donated to TCS by private citizens. TCS will grant conservation easement to town. This project will provide time to work with the seller (owner of Bearcamp Valley Farm) concerning other property with agricultural values worthy of protection. Ned asked: Does TCC want to help fund this project, possibly \$5000? If so there would have to be a public hearing. \$59,250.59 unrestricted funds are available in the Conservation Fund. Margaret moved to have public hearing for the expenditure of up to \$5000, to be paid to TCS for purchase of the Beaver Brook lot (Tax map 414, lot 18). Batch seconded, motion passed. Ned will post the public hearing for Dec 27, 7:00 pm.
- Reich / Hackett Hill (Tax map 414, lot 17) – Ned reported that this lot abuts Gilman Forest. Owners are interested in conserving it. Tom Howard, Tom Howe and Ned walked it on December 7. Nicely stocked with pine and hardwoods, historic wells, stone walls. The owners are willing to sell at reduced price if the property is protected. SPNHF is interested, TCC may hold a conservation easement. Lot size is 98 acres. Discussion is in early stages. Margaret might go on appraisal walk, Dec 15, 9:00 am at gate at end of Hackett Hill Road.

Groundwater Protection Ordinance – Hearing(s) have been held. Planning Board is revising it in work sessions (see Planning Board report above). There will be another public hearing scheduled after revisions are made.

Warrant article to terminate Conservation Commission – By petition, the following article will appear in the 2011 Town Meeting Warrant: “Are you in favor of abolishing the TCC as proposed by petition by the voters of this town?” Ned asked if the petition wording is adequate to put the question on the warrant. John R. said he believed it was. Ned asked should TCC hold a public hearing? It is not required by state statute but it could help in understanding the intent of the warrant article and providing information about what the TCC is and does. Should the TCC double up with the Planning Board hearing concerning a similar warrant article? TCC go first (6:30 pm), Planning board second (7:30 pm)? Skip N. and David L. agreed that would probably be OK. Chele moved that TCC hold public hearing, to be held the same night as the Planning Board hearing. Margaret seconded, motion carried. The date will be determined when the Planning Board schedules their hearing at their Wednesday meeting (Dec. 15).

Other Business – None.

Adjourn – Margaret moved to adjourn, Nelson seconded, motion carried at 9:08 pm.

Submitted by Chris Conrod