

# **Tamworth Conservation Commission**

Draft Minutes – January 14, 2013

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

**Call to Order** – Ned called meeting to order at 7:07 pm. Commissioners present were Ned Beecher (Chair), Nelson O'Bryan, Rich Gerard, Chele Miller, William Batchelder, and Margaret Rieser. Bob Seston was absent. Alternate Charlie Townsend was present. Ned asked Charlie to sit in the empty seat (Bob Seston).

Also present: Dom Bergen, Planning Board; Skip Nason, Planning Board; Pat Farley, Economic Development Committee; Dennis Quinn, Tamworth Wireless; John Mersfelder, various hats, Sam Martin for CMI.

**Approval of Minutes for 12/10/2012** – Chele moved to accept, Nelson seconded, motion carried.

## **Administrative**

**Treasurer's Report** – 2012 year-end statement has not been received yet.

**Annual Town Report** – TCC needs to submit a report for the Annual Town Report. Chele agreed to do this.

## **Announcements** –

The Selectmen have unsealed the minutes of the decision on fines to be levied to Chocorua Valley Lumber concerning the wetlands violation. The amount was \$100,000 to be deferred for a period of five years. If the remediation project is completed in this time period, the fine will be forgiven.

Green Mountain Conservation Group annual meeting is Saturday, January 19.

NHDES notice of alteration of terrain violation sent to Kinterra LLC, Tax Map/Lot #s 402/2 & 403/22. Letter says no action needed.

NHDES complete forestry notifications received for Tax Map/Lot #s 401/49; 405/15; 401/7,8; 408/59.

**TCC Membership** – Ned reminded Chele and Margaret that their terms expire this year. They should be ready to make a decision by next month. TCC has one alternate now (Charlie T.). It would be good to have more; suggestions/recruitments are welcome.

**Recent Bills in NH General Court** – SB 19 (2012), passed; what it means for Tamworth is that there is no longer a 100-foot buffer associated with designated prime wetlands. HB 514 (2012), passed; conservation commissions can not enter private land to collect data without the landowner's permission. This will not affect monitoring conservation easements. And it has no other impacts on TCC activities, since we always talk with landowners if we want to enter their land for any reason. A new bill (no bill number year) introduced by Jeb Bradley would allow towns to decide to have conservation commissions elected.

## **Web-cam on Fire Tower**

Pat Farley explained that the Tamworth Economic Development Committee (EDC) would like to have a web-cam installed on the roof of the Great Hill fire tower. It would be good PR and advertising for the town, as well as meeting safety concerns, particularly for spotting fires. EDC will take responsibility for raising money. Dennis Quinn said that the web-cam was part of the long-term plans for Tamworth Wireless, as he had reported to TCC at a previous meeting. It was originally going to be just operated by Tamworth Wireless, but now others are involved. The antenna would be 18" high, about the size of a football, remotely controlled and mounted at the peak of the roof. It would be powered by electricity already installed on the tower. The camera

could be controlled by a number of people/entities yet to be determined. Skip Nason said that he had already been contacted by a couple of individuals about the camera, apparently concerned about privacy. Skip did not see any privacy issues with the camera. Dennis said the camera will not be useful for on-site security; that's not it's intent, and it has no view onto the tower or surrounding ground. Maintenance issues: The equipment will be maintained by Tamworth Wireless; Dennis expressed a willingness to help with painting on the tower. Ned said TCC should do an inspection and see what maintenance needs might be addressed this year. Margaret asked how the camera would affect conservation. General feeling that it would increase awareness and probably increase visits to the tower. Nelson moved to support installation of a web-cam on the Great Hill fire tower. Batch seconded. Charlie asked if there were any privacy issues. General agreement that the camera would not invade any privacy. Motion carried.

### **Wetlands and Sub-surface Committee: Wetlands Matters --** Petitioned ballot initiatives to repeal Wetlands Conservation Ordinance

**Background** – Two petitioned ballot questions have been put on the Town Warrant: one to amend the WCO and one to abolish it. The Planning Board held a required public hearing last week. The overwhelming majority of those speaking did not support either ballot question. Next day Ned went to Selectmen's meeting and delivered a letter written by him personally. He encouraged them to oppose the petitioned ballot questions; they agreed to vote at next meeting. Bob Abraham stated he would personally be voting in favor of the petitions.

**Fact Sheet Review** – Ned asked TCC to review a wetlands fact sheet he had drafted. Suggestions included: Note that aquifer (groundwater protection) ordinance was voted down. Make the process clear (the final decision will be made by ballot vote at the town election polls, not at Town Meeting). Emphasize money issues; value of services and cost to do wetlands mitigation/remediation. Emphasize that the State and Feds require mitigation (fill one wetland, protect another), which results in a net loss of wetlands. Discussion turned to how to use the fact sheet. Suggestions included: Get more people outside of TCC involved in spreading the word. Post the information on Tamworth Exchange. Do a mailer to all residents. WMWV Drive Time. Nelson said the last section of the fact sheet is very important. John Mersfelder said the upland buffer is important. Most towns with local ordinances are more strict than Tamworth.

**Ned's Letter to Selectmen, 01/10/2013** – Ned urged the TCC to formally accept the letter he wrote to the Selectmen as an official TCC correspondence. And furthermore, to publish the letter on TCC stationary and to solicit the public to attend the 01/17/2013 Selectmen's meeting. Discussion dealt with publishing the letter in the Exchange and newspapers and the history of conservation in Tamworth.

### **TCC Votes on Ballot Initiatives and TCC Response**

Charlie moved to oppose both ballot initiatives concerning the Wetlands Conservation Ordinance. Margaret seconded. Motion carried unanimously.

Chele moved to adopt the fact sheet written by Ned. Nelson seconded. Motion carried unanimously.

Chele moved to adopt the letter of 01/10/2013 written by Ned. Margaret seconded. Rich asked if the last paragraph was an ultimatum. Ned replied that yes, it could be seen that way; he personally didn't want to commit to anything if the Selectmen would not support the position of the Planning Board and the TCC. But he does not think including the paragraph in a TCC version of the letter makes sense. Nelson moved to amend the motion to include striking the last paragraph of the letter. Rich seconded. Motion to amend carried. Amended motion carried unanimously. Ned stated that the first paragraph

would also need to be removed because it was his disclaimer that he was only writing as an individual. There were no objections to that.

**Further Discussion** – Discussed the mailer and public outreach in general. Should there be a subcommittee? Agreed that the commission as a whole will review anything prior to public circulation. Ned will put the updated fact sheet and letter on the web site.

### **Committee/Coordinator Reports**

**Planning Board** – Skip reported the only activity since the last meeting has been a boundary line adjustment between Helen Steele's farm and the Wonalancet Cemetery, which is on hold until some legal questions are settled.

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

**Floyd Conservation Easement** – Ned has talked with Bob, who remains interested and motivated. Ned or Bob will set up a CLRC meeting.

**Reich Easement** – TCC received three bids for surveying the Reich lot; they ranged from \$7820 to \$14,900. Tom Howe of SPNHF thought any of the proposals would be acceptable. He said that SPNHF had experience working with Thorne Surveys, the low bidder, and he was satisfied with their work. Nelson moved to accept the Thorne bid, Charlie seconded, motion carried. Regarding potential grants to help cover costs: Nelson reported that he checked with NH Charitable Trust – Lakes Region. There's a good chance of receiving a grant up to \$5000, covering no more than 50% of cost. He has started working on the grant proposal and has mostly completed the TCC profile, utilizing the Town's employer identification number. No new grant applications will be considered until February. TCC would ask for \$3900 (one half of the Thorne bid); they would probably make a decision a month later. Ned has checked with Thorne Surveys and they are okay with waiting for payment, if needed.

**Gilman West** – SPNHF is in discussion with the Freeto family concerning a bargain purchase of fee-simple ownership on tax map lots 414/64.1 & 66 and part/most of 414/64 and possibly with a conservation easement to be held by TCC, possibly as amendment/enlargement of existing CE on Gilman Forest. Projected costs are \$55,000 for purchase and \$45,000 for associated expenses (survey, legal, staff, etc.). They would like to know if TCC will partner with them. Need to know what SPNHF is looking for. Ned will ask and discuss with CLRC.

**Household Hazardous Waste Day** – Sue Stowbridge has agreed to return as the coordinator for this event. Thanks to Chris Clyne for several years of organizing this!

**Easement Monitoring** – Monitoring reports are coming in; looks like all monitoring has been done (except Ned's on Aspinall/Cloutier), but there is still some paperwork to do. Rich, Ned and the Administrative Assistant are working on a consolidated approach to monitoring the Alt easements.

**Managed Lands and Trails** – Ned reported that the Peg King Spur Trail sign fell down. He will put it back up.

**Other Business** – Question asked about a wetlands complaint on Saint Andrews church property. Sam Martin reported that there is a violation, they are waiting for the snow to melt to delineate the wetland.

**Adjourn** – There being no other business brought before the Commission, Batch moved, Rich seconded, motion carried 9:29 pm.

*Submitted by Chris Conrod, TCC Administrative Assistant.*