



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## CONSERVATION COMMISSION APPROVED MINUTES

April 16, 2014

8:30 AM

Sydney Crook Conference Room

**MEMBERS PRESENT:** Bob Brown (Chairman), Mike Gelcius, Andy Deegan (left at 9:20), Rick Anderson, Emma Crane, Terry Dancy (9:35 am), Dan Allen (9:00), Laura Alexander (8:50), Ruth White (9:00), John Clough 8:25). Some late arrivals as a new meeting time was previously established, changing from 9:00 to 8:30 am.

**MEMBERS ABSENT:** None

**OTHERS:** Lucy St. John, Planning and Zoning Administrator; Kim Hallquist, Town Administrator (part of meeting) and Dave Burnham, Pierre Bedard Associates (Bailiwick Shoreland application)

Chair Brown opened the meeting at 8:32am. It was reported that Kristy Health, Recording Secretary would not be in attendance due to the two-hour school delay.

### Volunteer Service Statement and Agreement

Kim Hallquist, Town Administrator, explained the purpose of the form and why the Conservation Commission volunteers should sign it, as it gives them immunity so they don't get sued or have any liability when they are performing their functions as a volunteer, and it indemnifies the Town. The protection wouldn't apply if there is negligence, that would be a different story. The Conservation Commission needs to maintain a record of persons who volunteer. Ms. Hallquist cited other communities that do this, including Holderness and Wolfeboro. Volunteers are not considered employees, and are not covered under Worker's Compensation. She explained that currently, the Town doesn't require that the form be signed but she will be discussing this with the Board of Selectmen. She explained that having volunteers sign the form could become a requirement for the insurance company that insures the Town. It isn't a requirement now, but may be a requirement in the future. The CC should maintain a list of volunteers for each event.

John Clough arrived (8:25 am).

Andy Deegan noted that the Ausbon Sargent Land Preservation Trust (ASLPT) mostly conduct the monitoring of the conservation easement areas. He noted that the Society for the Protection of New Hampshire Forest (SPNHF) has the volunteers sign a form.

### Concerns and questions from the CC included:

- Volunteers were never asked to sign any forms in the past, so why now.
- If this needs to be done every year.
- What if the CC reads the names of volunteers into the minutes, would this be sufficient?
- May lose some volunteers as they don't understand it or don't want to sign the form.
- This needs to be explained very well, or it could raise some red flags from volunteers.
- Suggestion to include the reference to RSA 508:17

- Does this apply to volunteers who do trail monitoring on behalf of the CC?
- Does this apply to volunteers who lead nature walks on behalf of the CC?
- Can't the CC just vouch that a volunteer is really a CC volunteer or would they need to sign the form?
- Has there been any specific instances when a volunteer has been sued?

**State Shoreland Application – Bailiwick. Located at 35 Woody Point Road. Tax Map 043-012-000.**

Several members of the Conservation Commission noted that they weren't able to locate the application materials on the website and that the website is difficult to navigate. Ms. St. John will show members how to access the materials. She noted that staff is aware the website needs to be updated, and that some minor improvements have been made by Kristy Health.

Ms. St. John provided a brief overview of the application, referring to the memo dated April 10, 2014 addressed to the Conservation Commission. The applicant had recently received variances from the Zoning Board of Adjustment. The existing and proposed impervious area was discussed. Dave Burnham, of Pierre Bedard Associates was in attendance to address any questions. He discussed the soil conditions, noting the Group 2 Soils, and that there would be no alteration of the unaltered area. No tree cutting is proposed. The Conservation Commission had no specific comments.

**Planning and Zoning Administrator Update:**

Zoning Amendments for May 2014- Ms. St. John provided a brief overview the zoning amendments that will be on the May ballot. She also explained that at Town Meeting there will be a discussion on changing Town Meeting back to March instead of May. Should there be a positive vote on this, this would mean that the zoning amendment process for next year would be moved forward. She suggested if this occurs, the Conservation Commission subcommittees and the Water Committee Working Group may want to begin discussions this summer and in the early fall, noting that for the 2014 zoning amendments, the Conservation Commission and Planning Board noted that additional discussion is needed.

Boathouses- A question was asked regarding Amendments # 1 and 2, regarding boathouses. If adopted how this would apply to any boathouse application submitted. A question was asked how this would pertain to the boathouse that was discussed last year. Ms. St. John noted that a building permit was not submitted for the Guimond boathouse prior to posting the zoning amendments. She also explained that if and when a building permit is submitted for a boathouse, it would be reviewed at that time based on the Zoning Ordinance provisions which have been adopted by the Town. Rick Andersen explained that a letter had been provided to the Town from NHDES stating the State provisions and that the stricter shall apply. Rick Anderson commented that both he and John Wilson attended the zoning amendments public hearings, and there wasn't any opposition to the boathouse amendments at that time.

John Clough asked about the structures which looks like boathouses, but really aren't. Ms. St. John commented that docks and boathouse are reviewed and need State approval, and if the State considered something a dock, the Town would as well.

Laura Alexander arrived (8:50 am).

Ruth White and Dan Allen arrived (9:00 am).

Decision Tree Flowchart- Ms. St. John explained that she sent an email to the CC Chair and Emma Crane suggesting that the draft CC decision tree be discussed with the Planning Board sometime after Town Meeting.

**Approval of Minutes from March 19, 2014.**

IT WAS MOVED (Mike Gelcius) AND SECONDED (Emma Crane) to approve the minutes of March 19, 2014, as amended (insert the last name of the representative from Bonin Architects).  
**THE MOTION WAS APPROVED UNANIMOUSLY.**

**Clark Lookout (adjacent property)**

Bob Brown reported although they were cautiously optimistic, the discussion with the land owners on this property fell apart.

**Hale Property, 35 Acres on Newport Road, Tax Map (058-006, old # 058-002-000)**

Andy Deegan provided an overview of the property to the Commission.

- ✓ The current owner, David Hale Trust, now resides in Cincinnati, Ohio and would like to have the property conserved and open to the public.
- ✓ The site is developable, and there is a utility easement on it. He is willing to do a bargain sale (25%), which would mean paying only 75% of the cost.
- ✓ The owner is paying for an appraisal to be completed, which may be completed by summer.
- ✓ Assessed value is approximately \$340-345,000.
- ✓ The property was harvested for timber in the past. There isn't a Forestry Plan for the property.
- ✓ The Ausbon Sargent Land Protection Trust is also talking with other property owners in the area, as this piece could be a connection to the Cricenti Bog and other trail networks.
- ✓ Fundraising would be done by ASPLT with the possibility of help from the Lake Sunapee Protective Association, residents on Gay Farm and Pine Hill Road.
- ✓ The property abuts the Stanley Farm Association property (057-004-000).
- ✓ This property is a gateway into the town, and protecting the gateways is noted in the Master Plan.
- ✓ A survey was completed in the past by Bristol, Sweet & Associates. The survey wasn't recorded, and it would cost about \$500 to have it recorded.
- ✓ Andy suggested that a Phase I, Environmental Assessment be completed, to be sure this has been a hazardous waste site. A phase I Environmental Assessment costs about \$2,000.
- ✓ Questions were asked about who will pay for the appraisal (and who selects the appraiser), recording the survey, the environmental assessment, stewardship cost (about \$18,000), legal fees, title fees, title insurance and other costs associated with acquiring the land.
- ✓ The current proposal would be to take this to the May 2015 Town Meeting, ASPLT would hold the Conservation Easement on the property.
- ✓ Laura Alexander explained that fundraising would help with the cost, and the anticipated partnership with other organizations and others.
- ✓ Questions were asked regarding other funding sources such as LCHIP and Moose Plate Conservation Grants. It was suggested that because of the bog, loon and facilitate emerald (a type of dragonfly), that these other funding sources may be worth looking into.
- ✓ A site walk is scheduled for Thursday, April 17<sup>th</sup> at 2 pm.
- ✓ Bob Brown asked about next year's Town Meeting and including it as a warrant article. Kim Hallquist explained that once all is in order it could be included on the warrant for 2015 (could be March or May, depending on the May 2014 meeting vote on changing Town Meeting date), or a Special Town Meeting could be called.

- ✓ It was noted, that conservation projects sometimes take years to come to a real project, as discussions on this property with the landowner started in 2007. This property is included on the CC list of 40+ desirable properties in Town, preserving the gateway is a priority identified in the Master Plan and the connectivity to the Bog.

Any Deegan left at 9:20 am.

### **Low Plains Update**

Dan Allen provided an update:

- ✓ Site Visit scheduled for Monday at 9:00 with Fish & Game, UNH Cooperative Extension and Forester (Clayton Platt)
- ✓ Preliminary walk to review the wildlife plan and forestry plan

### **Trails Update**

Dan Allen provided an update:

- ✓ Didn't proceed with the trails proposed at the last meeting.
- ✓ Trying to keep the walker separate from the ski trails
- ✓ Suggest another entrance
- ✓ Suggest putting in a 2<sup>nd</sup> bridge
- ✓ Need poles and railroad ties.

### **Trail Intern Update**

Bob Brown provided an update noting that the advertisement at the newspaper (Shopper) was misplaced and so the ad didn't appear. If anyone knows someone who may be interested, this is a part-time position, to contact Bob Brown.

### **Lyon Brook Trail (Hospital)**

John Clough provided an update stating this project is low on Richard Lee's agenda but there had been some discussion about ground fabric, recycled glass and gravel. Since they only want to do this once additional discussion will be needed, as well as a bobcat machine to move the materials. Bob Brown noted that about one year ago he walked the area with Chad Denning, and at that time it was a little wet in places. They put in some flags to mark the location of the power lines and sewer lines. There were several questions and discussion about:

- where the access point should be on Parkside; they want to be sure it doesn't cross over private driveways
- access to a Red Brick Walk
- needing some stairs
- right-of-way to the hospital property
- how much it would cost the Town to do the work

### **Emma Crane, CC representative to the Planning Board.**

Emma Crane reported on the Planning Board meeting of April 8<sup>th</sup>.

- ✓ Zoning Amendments. The April 8<sup>th</sup> meeting included the second and final public hearing on the proposed zoning amendments, all of which will be include on the Town Ballot for consideration.
- ✓ Conceptual Subdivision and Lot Line Adjustment Discussion Tax Map 086-022-000 and 086-021-000. An overview was provided of the conceptual subdivision plan and lot line relocation plan for property located on the corner of Seamans Road, Hall Farm Road and Blueberry Lane. Parcel 086-022-000 owned by Seamans Road Realty Trust, Martha Peyser Trustee. Parcel 086-021-000 owned by Mary and James Steproe. Applicant- Cherry Hill Homes, John Langill. Plans prepared by Jennifer McCourt of McCourt Engineering and Associates. Proposal to subdivide

approximately 34 acres into eight (8) residential lots with a lot line adjustment. It was noted that one of the primary concerns identified was drainage and wetland/streams on the property. Lucy St. John provided an overview of the plan, the process and general concerns discussed at the April 8<sup>th</sup> Planning Board meeting.

- ✓ New London Agency Site Plan approved, changes to the interior layout of the 2<sup>nd</sup> floor.

Terry Dancy arrived 9:35 am.

#### **Messer Pond Protective Association**

Bob Brown provided an update regarding the proposed oiling of goose eggs which was discussed in the past. No geese nested this past year. They anticipate another busy season with the geese.

#### **Lake Sunapee Protective Association Panel Discussion**

Rick Andersen provided an update noting that the LSPA will be sponsoring a panel discussion along with other lake associations centered on the movie ‘Gimmi Green’ which talks about lawn care around lakes. This will be advertised and will likely be scheduled sometime in June.

#### **Maintenance Update**

Mike Gelcius noted that he has lined up several grass cutters for the Low Plains, the Overlook, the center area near the dam, and the land near the wet areas.

#### **Snow Grooming Update**

Dan Allen reported that they now have a means to groom the snow with the use of a grooming machine.

#### **Next CC Meeting**

The next meeting was scheduled for May 21, 2014 at 8:30 am.

#### **Adjournment**

**IT WAS MOVED (Emma Crane) AND SECONDED (Mike Gelcius) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned 9:45 AM.

Respectfully Prepared by:

Lucy A. St. John, AICP  
Planning and Zoning Administrator