



TOWN OF NEW LONDON, NEW HAMPSHIRE

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APPROVED Minutes of the February 20, 2012 Conservation Commission Meeting

MEMBERS PRESENT: Bob Brown (Chairman), Sue Clough, Andy Deegan, Rick Anderson, Terry Dancy, Laura Alexander, Emma Crane

MEMBERS ABSENT: Ruth White, Dan Allen

OTHERS: Bob Crane (Webmaster), Lucy St. John (Planning & Zoning Administrator)

Chair Brown called the meeting to order at 9:00am.

Review of Minutes from January 16, 2013

IT WAS MOVED (Laura Alexander) AND SECONDED (Terry Dancy) to approve the minutes of January 16, 2013, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

Planning & Zoning Administrator Update - Lucy St. John

Ms. St. John indicated that the site plan for the Canane's was approved by the Planning Board with six conditions: that water testing be done within 20' of the property twice a year (May and October) by both PLPA and the Canane's, that Best Management Practices (BMPs) be used in consultation with NRCS, USDA, and DES, that fencing be put around the perimeter of the property and set back from Pleasant Street, that they obtain a driveway permit, intent to cut permit and stream crossings permit, if needed. Ms. St. John said that the applicant attended the meeting with representation by his attorney. She indicated that there were provisions under the ordinance and State statute to allow for agriculture in this area. It was noted that if this wasn't a commercial farmer, people could put their cows on the property without notifying anyone or getting permission.

Chair Brown said that he received a call from someone asking if the Conservation Commission was on top of the issue. He indicated that all they can do is monitor the situation and make recommendations at this point. Ms. St. John read the motion, which was detailed. Mr. Dancy felt it was complete. Mr. Anderson didn't feel that the motion was made based on science. He believes that general BMPs don't apply to every circumstance. If a cutting request comes from anyone interested in agricultural activity, the Conservation Commission should be prepared with an understanding of what the BMPs are. BMPs start with a design for a specific site. The National Resource Conservation Service (NRCS) works with people to design these site plans to combine and select the best practices based on the land. Ms. St. John noted that a letter had been sent to the Town by Mike Lynch from NRCS who said he would be happy to work with the Canane's on this project. Mr. Anderson said that later in the meeting Mr. Canane said that creating their own unique plan would be expensive and that staff probably wouldn't be available to help on a timely basis due to budget cuts at NRCS. Mr. Deegan offered that although there is no way to require a unique plan for the property, the Conservation Commission can make a recommendation that one be attained.

Chair Brown said he reviewed the Conservation Commission minutes from December, 2012 when Mr. Canane came to give his presentation and it is expressed that Mr. Canane wouldn't go within the 100' buffer unless he is authorized to do so. Mr. Anderson said for future requests they should consider the science behind the buffer requirements.

Mr. Crane said the majority of people at the Planning Board meeting were in favor of having cows on the property. Cattle and horses have been on the property since the beginning of the town. Mr. Anderson said he wasn't against having cattle in town but he was concerned with the quality of the lake. It is a Class A lake and is a drinking water reservoir for the Town. Mr. Deegan said they have to consider how much more

development there is now near the lake, which impacts everything. Mr. Anderson worried that if the buffers get pushed back, those standards would become the norm.

Mr. Anderson said he had a call in to Mr. Lynch from NRCS as he wants to talk about his beliefs surrounding the buffers. He didn't believe Mr. Lynch had been to the site and perhaps his opinion would change had he done so.

Ms. St. John said the Notice of Decision can be appealed by anyone per statute. If there is an amendment put forward to restrict agricultural activities within buffer areas, there would likely be many others involved in the discussion. She said that agriculture and forestry have always been permitted in New Hampshire and are the backbone of the state. She didn't think putting language about grazing within the buffer in an amendment would be sufficient as it is part of a much larger issue. Ms. Clough agreed and didn't know which way it would go. There are places where restrictions should be set, but the landscape is important to the town.

Ms. St. John said that someone at the meeting commented that the Conservation Commission is always looking to purchase and conserve open land. Here, someone is trying to do this at their own expense and on their own accord, and they should be allowed to do so. Mr. Anderson said he just wanted the science to be considered.

Mr. Dancy said that 50 years ago there were no considerations for phosphorous in the water, and the level of it has been rising gradually over time. This is harmful for the water and can hinder even recreational use of the water. Even a small increase in phosphorous will have a negative effect on the lake. Ms. St. John said that it isn't a simple thing and there has to be a balance. Water quality is important to everyone, but there are also property rights, State provisions regarding agricultural and forestry, and many factors need to be taken into consideration.

Ms. Crane said where she was sitting as a member of the Planning Board, she saw four people against the proposal. The comments she heard were supportive of the program going through. It puzzled her that the Conservation Commission promotes agriculture in the Master Plan, but when it comes down to it, it seems that they don't really want it. The Planning Board put in restrictions with the approval to insure safety for the water, but Mr. Anderson noted that they are not requirements.

Ms. St. John said that there is no review required by any board should Mr. Canane wishes to cut trees on his property. The current regulations say he can even cut within the buffer. She agreed that water quality is important everywhere. Because he is working under an agricultural premise, Mr. Canane may be able to do things that the Conservation Commission doesn't feel are OK.

Easements

Chair Brown noted the letter he received with Peter and Sondra Garr who live on the end of Farwell Lane. He had sent a copy of the letter around to the Conservation Commission members. The Garr's are taking exception to what they feel is a violation of the terms of an easement on the property where their neighbor, Mr. Carroll, lives seasonally. Mr. Deegan recued himself on the matter because of his employment with Ausbon-Sargent. He felt that the Conservation Commission needed to make its own decision about this without his input. Chair Brown said that this issue has been researched by many people at Ausbon-Sargent and it was found not to be a violation of the terms of the easement. He tried to look at the property but the road was posted and couldn't see it from the top of Burpee Hill. The complaint is that there is a trailer/camper on the property that is intended to be used as an animal enclosure this spring/summer while the owner is living there.

Mr. Dancy perceived this to be a visual complaint and not an environmental complaint. Ms. Alexander said that the use of this kind of trailer is allowed. Chair Brown said the Town got involved because they are secondary on the easement. He felt it was a shame the neighbors couldn't get together and work this out. Chair Brown said he would get in touch with the landowner and ask permission to inspect the situation due to there being a complaint and, as secondary parties of the easement, and they have the right.

Phillips Preserve

Mr. Deegan said there is a matter that needs more approval. Further discussion with the Ausbon-Sargent board needs to take place.

Big Hilltop LLC

Chair Brown said this project is moving along slowly. The concern is whether the appraisal results will be known before the final budget meeting on April 9, 2013. They were hoping to get the information from the appraiser by April 1st, which would give them one week to look at the numbers. They will need to put together a plan for where the funds would come from. The more facts they have to present to the voters, the better. Finding out what is a fair contribution from the Town is going to be key. Ms. Alexander said that once the number for the easement comes in, it is a matter of deciding how much should be contributed by each of the three parties, depending on the feelings of all parties and the perceived fundraising capacity. She indicated that Brian Hotz from the Forest Society is well-versed in this kind of thing and will have a good feel for what is appropriate.

Chair Brown said he appreciated the support by the Conservation Commission members at the Selectmen's meeting in January.

Budget Meeting

Chair Brown noted that the meeting would be held at 7pm that evening. They would need to talk about the operating budget and the CIP. He felt that they should continue to ask for \$25,000 for the Land Acquisition Fund and indicated that the Budget Committee was aware of the impending Big Hilltop LLC easement.

Warrant Articles

Chair Brown said that he is aware of an RSA which allows Conservation Commissions to keep or put aside any balance from their operating budget after the fiscal year is over. Every year the New London Conservation Commission has a few hundred dollars left over and they could request authorization from the voters and put it in their Conservation Commission Fund, which they can spend without approval. In the past this has been used to pay surveying or appraisal fees.

When the Phillips project is completed, the Town will receive some money from logging, albeit not a large amount. They could request that this surplus be transferred to their Conservation Commission Fund instead of into the General Fund. He has been offered some support in writing the warrant and he wanted to know how the others on the Conservation Commission felt about it. Chair Brown added that most towns receive all or a portion of funds from the Timber Tax and taxes coming from lands coming out of Current Use. The New London Conservation Commission gets neither.

Ms. Alexander said that alternately, most towns don't have a Land Acquisition Fund and she felt that they were coming out on top with this fund by being able to ask for money from the Town. Her concern was that with the Land Acquisition Fund, the voters know what their money is going towards. They may not feel the same way if they don't know what the Conservation Commission is going to do with unspent money instead of giving it back to the General Fund. She felt having a Land Acquisition Fund was more transparent to the voters so they can identify where their money was going.

Trails and Projects

Phillips Forestry Project

Chair Brown said he got a call from a neighbor of the property who was quite upset. The man has lived there for 20 years and had never been on the Phillips property. He was disgusted in what they had done and was told by his daughter that every tree was cut on the property. Chair Brown said he explained that this was part of a forestry plan that had been updated and was not a quick decision. He assured the gentleman that it was part of a responsible forestry plan and was a benefit to the forest. Afterwards, Chair Brown and Ms. Alexander went

to the site and thought it looked good. There were still a lot of trees there and he took some photos which he sent to the Conservation Commission members and some people at the Town Office.

Ms. Alexander said they walked in on the access road which she opined was in great shape. The landing, itself, is beautiful. They walked up the skid road which is a bit steep. Mr. Maslan's plan is to put some straw on it now before it thaws, and cover it with a tarp. In the spring he will seed and mulch to prevent erosion. Ms. Alexander explained that they really lucked out with not having deep snow this year. The operator did a great job taking care of the understory. He cleared out all the little things first and then felled the large logs, insuring that the understory was clean. There is one pine that had some bark scraped off the side but they decided not to cut it because it is within the 200' buffer of a vernal pool.

Ms. Alexander said that what was cut was low-grade and the pine they had anticipated cutting was not cut because it was within the 200' buffer of a vernal pool. The view at the top of the hill is beautiful and is of mostly mountain but some of the lake as well. They ended up taking some low-grade red maple which was chipped up. Some hemlocks and pines were taken as well as a few oaks that were in the road. She felt the job was one of the nicer logging jobs she has seen and added that any complaints that come in are most likely from people who don't understand forest management.

Chair Brown said it was about 4:1 for trees that went for pulp trees or chipped, versus trees that were of value. It was suggested that some kind of notice be sent out to educate people of what has been done on the Phillips property and encourage people to go walk the area. It could serve as an education as to what forest management practices look like.

Ms. Clough commented that Hilary Cleveland's property is also a wonderful example of good forest management. Ms. Crane agreed and said she very much enjoyed the walk that was offered on the property, along with one of Ms. Alexander's environmental classes from Colby-Sawyer College. Ms. Alexander suggested that Pierre Bedard and Leo Maslan might come to a gathering at the Phillips property to talk with the public about what they did.

Trail Intern

Chair Brown said they are budgeted for the first half of this expense due to the fiscal ending in June. He would need some help organizing this endeavor this year. Ryan Bernstein, the intern from last year, will be around next summer but the dilemma was if they spread his time out over the whole summer (20 hours/week) he wouldn't make enough money to make ends meet. Chair Brown said he would talk to Mr. Bernstein further and thought they should post the position in the coming weeks.

Trail Use Agreement

Chair Brown said he is waiting to get an update from W. Michael Todd on this.

Clark Pond

Chair Brown said he recently visited the area and thought it was in great shape. He took some pictures and sent them to Linda Jackman for possible use in the Town Report.

Picnic Tables

Chair Brown said he is almost done making the picnic tables. One is for Messer Pond and one is for Clark Pond.

Mr. Crane said Dave Cook put a picnic bench on the High Pleasant Trail offering a seat where there is a gorgeous view.

Duck Boxes

Chair Brown noted that Michael Gelcius from Elkins Fish & Game informed him that they are working on the duck boxes and hope to get the ones at Low Plain taken care of by the end of the month. This group has also agreed to take over the monitoring of the trails at Low Plain.

Merrimac County Work Days

Chair Brown said he has requested four days this year but still has to confirm this with the director of the program on Monday.

Website

Mr. Anderson said he is currently trying to move the current information around into a format he is comfortable working with. After working with the information, he shared that he has a greater appreciation for all the work Mr. Crane had done with the website thus far. He hoped to be able to share the new format with everyone in the coming months.

Programs

Ms. Alexander thought it would be good to offer a public walk/visit to the Phillips Preserve at some point the next month. Chair Brown would contact Leo Maslan and Pierre Bedard to check their availability for the third week in March. It would preferably be held on a Saturday.

Other Business

Ms. Crane said that at the last Planning Board meeting, a representative from PSNH came in to discuss the trees that will be cut along the edge of the Town's scenic roads. They also approved the fast track application for Radio Shack to move into where Foremost Builders is currently housed on Main Street.

It was noted that the next meeting of the Conservation Commission would be held on March 20, 2013 at 9:00am.

**IT WAS MOVED (Laura Alexander) AND SECONDED (Terry Dancy) to adjourn the meeting.
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 10:37am.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London

