

Atkinson Conservation Commission Minutes
Thursday, March 9, 2023, 7:30 PM
Atkinson Town Hall

Approved March 29, 2023

Members Present:

Paul Wainwright, Chair
Bill Steele, Vice Chair
Scott Kukshel
Pete McVay
Suzie Newman
John Fournier (arrived late)

Others Present:

Bob Worden, Selectman Liaison
Mike Turell – Atkinson Treasurer

1. Call to Order, and Attendance:

Chair Paul Wainwright called a special meeting to order in person at Atkinson Town Hall at 7:30 PM on Thursday, March 9th, 2023. Chair Wainwright took attendance and noted that there are five regular members, and no alternate members present.

Chair Wainwright announced that the primary purpose of this special meeting was to hold a Public Hearing concerning the Conservation Commission's plan to spend \$24,846.80 from the Atkinson Municipal Conservation Fund as required by NH RSA 36-A:5 II. Chair Wainwright declared that this meeting had been properly noticed pursuant to NH RSA 675:7.

Chair Wainwright also stated that there were a few other topics that needed discussion that could not wait until our next regular meeting.

2. Public Hearing – Expending funds from the Conservation Fund for the purchase of the “Jameson Triangle”

Discussion: Chair Wainwright displayed a map of the Northwest corner of the Town including Big Island Pond, State Route 111, and Lakeside Drive. Chair Wainwright pointed out that there is a 1.4-acre triangular piece of land which is not currently included in the Town-owned conservation land. Chair Wainwright shared the history of how and why this parcel came to be landlocked. essentially by eminent domain when Route 111 was re-routed in the early 1980s. Chair Wainwright stated that the land has sat untouched for about four decades and since it is surrounded by conservation land, it has been used as conservation land all this time. Chair Wainwright continued that about a year ago the previous landowner sold the property on both sides of the highway to Jameson Hill, who has since flipped the southern portion of this parcel below Route 111, and was

unsure of what to do with the portion north of Route 111. Chair Wainwright stated that, in speaking with the landowner, the lowest he would sell the remaining, triangular portion for was \$30,000.00.

Chair Wainwright stated that he spoke with Town Counsel who advised he speak with the Board of Selectmen first. Chair Wainwright continued that when he looked up the assessed land value, it was only \$23,800.00. Chair Wainwright stated that he spoke to the landowner again who reluctantly agreed to sell the land for the assessed value of \$23,800.00. Chair Wainwright continued that he received approval from the Commission to negotiate a Purchase & Sales agreement, which he did, and it was signed on February 10th of this year. Chair Wainwright reviewed the details of the Purchase & Sales agreement and the fees associated with closing costs, etc. Chair Wainwright stated that the bottom line is to spend a total of \$24,846.80 to buy this piece of land.

Chair Wainwright stated that one reason for the Town to make this purchase is that, although a driveway permit would not currently be allowed, there could be changes in the future which allow a driveway permit here, which would render the parcel developable. Chair Wainwright continued that the other thing that could be done with this land is that it could be clear-cut for timber harvesting by whoever owns the land, and he expressed his belief that this could be done at the current time since the Town received a similar permit from the State to cross the Route 111 right-of-way as part of the recent Stickney Town Forest selective timber harvest.

Mr. Worden stated that purchasing this 1.4-acre beautiful piece of property for this price is a bargain. Mr. Worden continued that it is also important to move forward with this purchase to ensure this parcel does not become the home to a new Dunkin Donuts.

Chair Wainwright made a motion to close the public hearing by consensus. Vote: 5/0/0

Vice Chair Steele made a motion to spend \$24,846.80 from the Conservation Fund for the purchase of Map 20, Lot 16-1, under the authorization of NH RSA 36-A and NH RSA 477:45 to be held and administered under the terms of said chapters upon under the supervision and control of the Atkinson Conservation Commission, and furthermore to be managed as permanent woodland and wildlife habitat in perpetuity. Member McVay seconded the motion. Vote: 5/0/0

3. Management Plan for Debbie Lang's Land

Chair Wainwright stated that this land is the 15-acre parcel at the end of Knightland Road. Chair Wainwright continued that the Commission is using an intermediary organization to help accumulate the money from grants before the Commission can take ownership of it. Chair Wainwright stated that this is very

common practice, and this organization is The Conservation Fund. Chair Wainwright continued that they did a great job in writing the grant applications, and the Commission has a total of \$298,000.00 from grants to purchase this land, which means the Commission will likely only need to put up about an additional \$10,000.00.

Chair Wainwright stated that one of the grants is from the Aquatic Resource Mitigation (ARM) fund. Chair Wainwright continued that the ARM fund requires a Land Management Plan. Chair Wainwright stated that, when looking at example plans, they were nearly 30 pages long, and much more complicated than he had originally thought. Chair Wainwright continued that he feels this work will need to be contracted out.

Member Fournier joined the meeting at this time.

Chair Wainwright stated that he has spoken with some vendors, and the person he identified who has the skill necessary and available time to complete this project is Peter Stickler, who will be able to do it for \$1,500 to \$2,000. Chair Wainwright asked the Commission if they were comfortable having him move forward in negotiations with this vendor; they responded affirmatively, so by consensus the Commission agreed to move forward with hiring Mr. Stickler to do this work.

The Commission had a brief discussion on where the funds should come from, and ultimately decided that the funds should come from the Conservation Fund rather than the annual budget.

4. Wording of “Happy Letters”

Chair Wainwright stated that he spoke with Glenn Saba, who is the Chair of the Zoning Board of Adjustment. Chair Wainwright continued that Mr. Saba recommended some changes in the way the Commission words their “Happy Letters.” Chair Wainwright stated that Mr. Saba would prefer that the Commission stay away from words like ‘recommend’ because it makes it difficult for the ZBA to be able to deal with the other variables that play into making their approvals. Chair Wainwright asked the Commission how they could structure letters to reply to the ZBA about wetland setback easements without using the word ‘recommend’. Vice Chair Steele stated that the Commission’s Happy Letters should just list the positive and negative attributes of approving the land deal in question. Vice Chair Steele continued that it is the Commission’s job to present the facts and the ZBA’s job to make the right decisions based on the details. The Commission had a brief discussion and generally agreed with Vice Chair Steele. Vice Chair Steele and Member Fournier suggested the Commission needs a checklist of items to include in the Happy Letters that highlight concerns and benefits of each land deal; Chair Wainwright asked them to develop this checklist.

5. Plans for Reappointment

Chair Wainwright stated that Member McVay has decided to step down from his position on the Commission and will move forward as an Emeritus Advisor of the Commission henceforth. Chair Wainwright continued that Member McVay has been on the Commission for almost 20 years and he thanked him for his service. Chair Wainwright stated that Member Chretien's term as an alternate is ending and she has agreed to accept regular member status left vacant when Member McVay steps down. Chair Wainwright continued that this then leaves an opening in the alternate member seat on the Commission.

6. Adjournment

Member Kukshtel made a motion to adjourn the meeting. Vice Chair Steele seconded the motion. Vote: 6/0/0

The meeting adjourned at 8:11PM.

Respectfully Submitted,

Zachary Gilberti, Recording Clerk

Attachments: none