

Atkinson Conservation Commission Minutes
Thursday, January 26, 2023, 7:00 PM
Atkinson Town Hall

Approved February 22, 2023

Members Present:

Paul Wainwright, Chair
Bill Steele, Vice Chair
John Fournier, Secretary
Scott Kukshtel
Suzie Newman
Pete McVay
Monique Chrétien, Alternate

Others Present:

Jake Martineau, Eagle Scout candidate
Gail Martineau
John Troy

1. Call to Order, and Attendance:

Chair Paul Wainwright called the meeting to order in person at Atkinson Town Hall at 7:00PM on Thursday, January 26th, 2023, and noted that the meeting was delayed a day because of a forecast of snow. Chair Wainwright took attendance and all members are present with the exception of Members McVay (who arrived late) and Nenart, Member Chrétien will be voting in their stead.

2. Review & Approval of Minutes

a. November 30th, 2022 – Regular Meeting

Discussion: Chair Wainwright presented the regular meeting minutes from November 30th, 2022 and asked for comments or corrections, Member Kukshtel noted one addition on page two, stating that the setback variance number should be added.

Vice Chair Steele made a motion to approve the regular meeting minutes from 11/30/2022, as amended. Member Kukshtel seconded the motion. Member Chrétien abstained from the motion. Vote: 5/0/1, the motion carried.

b. December 14th, 2022 – Non-public

Discussion: Chair Wainwright presented the non-public meeting minutes from December 14th, 2022 and asked for comments or corrections, there were none.

Member Fournier made a motion to approve the non-public meeting minutes from 12/14/2022, as written. Member Chrétien seconded the motion. Members Kukshtel and Newman, abstained from the motion. Vote: 4/0/2, the motion carried.

Member McVay joined the meeting at this time.

- c. December 30th, 2022 – Two site visits for variance applications

Discussion: Chair Wainwright presented the regular meeting minutes from December 30th, 2022 and asked for comments or corrections, there were none.

Vice Chair Steele made a motion to approve the meeting minutes from the site walks on 12/30/2022, as written. Member Fournier seconded the motion. Members Kukshtel, McVay and Chrétien abstained from the motion. Vote: 4/0/3, the motion carried.

3. 2022 Expenditures and Budget Report

Chair Wainwright produced the latest revision of the expenditures report for 2022 and asked for any questions or comments. Chair Wainwright asked if anyone submitted a reimbursement request for which they have not yet been paid; there were no affirmative responses. Chair Wainwright stated that the entire 2022 budget, except for \$3.59, was expended. Chair Wainwright continued that the proposed 2023 budget is level-funded.

Chair Wainwright turned the meeting over to Vice Chair Steele and recused himself from the discussion.

4. Eagle Scout Project Review: Stickney Trails – Jake Martineau

Vice Chair Steele stated that he has known Jake for many years and has watched him grow into the Eagle Scout candidate you see before you. Vice Chair Steele continued that Jake has always been a highly motivated individual and although his Eagle Scout project faced many challenges, he is ready to move forward.

Jake Martineau stated that, so far, he built a trail kiosk for the Stickney Trail entrance at the end of Lakeside Drive, and added a bench to the kiosk. Mr. Martineau continued that he also added a bench down by the waterfront. Mr. Martineau stated that he believes his project is complete but offered to help with the map portion of the project.

Vice Chair Steele stated that the original plan was to place a large-scale map on this kiosk, but with the selective cut that just occurred it's difficult to know what the terrain will look like long-term. Vice Chair Steele continued that he agrees the project should be considered done since the Commission is unable to provide the map needed to complete the kiosk; he continued that the Commission can post this map at a later date. The Commission discussed how to address the fact that the map is not yet completed. Mr. Martineau stated that he had approximately \$180.00 left over from the project and he plans on donating this to the Commission.

Member Newman made a motion to approve the completion of Jake Martineau's Eagle Scout Project in its current state. Member Fournier seconded the motion. Vote: 6/0/0, the motion carried.

Chair Wainwright rejoined the meeting at this time.

5. ADA Trail on Slade TF: Project Status and Next Steps – John and Pete

Member Fournier stated that the first two phases of this project are completed; phase one assessed current conditions and phase two was to walk the woods with the architect and getting a feel for the desired outcome. Member Fournier continued that phase three is engineering, which is moving fast with many CAD files, engineering drawings, and GPS coordinates. Member Fournier stated that the fourth phase is to assist with assessing bids and to manage the construction work.

Member Fournier continued that the Commission will be doing some public fundraising to help fund construction of the trail. Chair Wainwright stated that the Town Treasurer is still maintaining the the "donation fund" that was used for the Comedy Night fundraiser funds, so that is available for us to manage contributions for the trail construction.

Member Fournier stated that the big challenge with raising funds for this trail is that when people compare it to similar trails in Manchester or Ossipee, those trails are giant nature conservancies, whereas the Slade Town Forest is an 18-acre parcel in a neighborhood. Member Fournier stated that he is tasked with finding grants which will be applicable to this parcel.

Chair Wainwright stated that he would like to wait on the funding roll-out, and use Member McVay's video during the introduction to the fundraising drive. Member McVay stated that if the Members could keep him apprised of when they will be out on the trails, he may get some footage to add to the video. Member Fournier stated that the one concern he has with the current video is that it involves footage of a professional (Bob White) whose permission the Commission does not have to post it publicly in any form. Member Fournier continued that the

video is fine for internal use but it should not be posted anywhere; the Commission concurred.

6. Selective Timber Harvest Final Report – Charlie Moreno

Chair Wainwright stated that he has preliminary financial numbers, and they are pretty good. Chair Wainwright continued that during next month's meeting, Charlie Moreno will be calling in to discuss final numbers. Chair Wainwright stated that Mr. Moreno has agreed to hold two public events. The first is primarily intended for the Commission, and will walk one of the recently harvested forests and present ideas for next steps the Commission can take to help with restoration. The second event will be intended more for the general public, and will walk the Caroline Orr Town Forest, which was logged in 2017. This walk will demonstrate the benefits of selective timber harvesting.

7. Beckhorn/Marshall Trail Recovery Status – John Fournier

Chair Wainwright asked if there had been any movement on laying out the trails on the Marshall Town Forest. Member Fournier responded that there has not been much movement with the current snow and ice conditions. Member McVay stated that this is another thing he wants to document with a video to show what great work is being done with before and after pictures.

8. Short Reports & Discussions

- a. Should the Water Resource Committee be a subcommittee of the Conservation Commission?

Chair Wainwright stated that the Water Resource Committee asked him if the Commission would consider adopting them as a subcommittee. Chair Wainwright continued that their charter is not under the Commission's purview, so he turned them down. Selectman liaison Bob Worden stated that he agreed with Chair Wainwright's response to the Committee. Mr. Worden continued by explaining why this Committee was created and what its current function is moving forward.

- b. Worden Report

Mr. Worden stated that one of the highlights of his tenure in this position is the installation of the fit trail. Mr. Worden continued that it has been a great year for Atkinson. He went on to state that the Commission's

upcoming purchase of the 15.4-acre Lang property for \$8,000.00 was a tremendous deal. Mr. Worden continued that the Land Conservation Plan is a fine work of art that will serve the Town well in the future. He presented Chair Wainwright with a painting his wife painted of his favorite spot to sit at Hovey Meadow Pond.

c. Land Conservation Plan is now complete - FINALLY

Chair Wainwright stated that the Land Conservation Plan is finally complete! Chair Wainwright continued that he hopes residents read this material and take something from it. Chair Wainwright stated that the completed plan is on the website as well as a hard copy in both the Land Use Office and the Town Administrator's Office.

d. Easement Monitoring Update – Bill, John, Monique

Vice Chair Steele stated that they gave an update on this at the last meeting. Chair Wainwright stated that this is regarding the land behind the Community Center. Vice Chair Steele stated that they have yet to walk this property but they will, and they will complete the form.

e. Troop 9 News?

Vice Chair Steele stated that apparently Troop 9 is getting a few new scouts. Vice Chair Steele continued that he offered to attend meetings and serve as liaison between the Troop and the Commission. Vice Chair Steele stated that he made it clear that if there are any needs for projects or community service, the Commission has plenty of opportunities.

f. "Passing the Torch" for Trail Map Management

Chair Wainwright stated that former Member Dennis Krause would like to transition away from being the trail map manager and would like to pass the torch to a current Commission member. Chair Wainwright stated that he had Alternate Rizzo in mind for this position but he still needs to discuss this with her.

g. Boulder Cove Road sign is now installed

Chair Wainwright stated that this sign which prohibits boat trailers, among other things, is now installed at the end of Boulder Cove Road. Chair Wainwright continued that while it is a large sign, it is driven deep into the ground so it is rather short.

h. Turtle Signs Publicity Roll-out – Monique Chrétien

Member Chrétien stated that she will start working on an article for the Carriage Towne News regarding what to do if people find turtles in the road. Member Chrétien continued that she needs to be careful mentioning the Blanding's turtles due to the potential threat of poachers. Member Chrétien stated that she was thinking about having some speakers come to town to lead discussions on turtles and related environmental topics.

The Commission had a discussion around a bat house that is down. Chair Wainwright stated that what he thinks happened is that the person who mows that area may have bumped into it; he does not suspect vandalism. Member Fournier stated that he has plans to repair this bat house in the near future.

i. 2023 Pollinator Event – Suzie Newman

Member Newman stated that she is waiting for Freshwater Farms to finalize the date for the event; she believes it is Saturday, April 15th. Member Newman continued that although some of the final details need to be worked out, it is on the schedule and moving forward.

j. Other 2023 Outreach: Public Events and Presentations?

Member Chrétien stated that she would like to hold a turtle presentation event and she has some other ideas, although she is not sure if they fit in with the Commission's mission statement. Member Chrétien continued that she was thinking of starting community wildflower gardens somewhere in town. The Commission had a brief discussion about past wildflower garden projects and discussed that the Commission can facilitate but should not necessarily run them.

Vice Chair Steele stated that perhaps the Commission could host some nature hikes to publicize the existence of the trails. Vice Chair Steele stated that the Sawyer trails would be a good place for newcomers to

start. Chair Wainwright suggested enlisting the help of Matt Tarr for a birding event. Member Newman suggested hosting a quarterly educational event for residents where the Commission organizes a speaker to give a talk on various topics. Member Fournier stated that he would reach out to Matt Tarr; Chair Wainwright will reach out to a tree expert as well.

k. Revise the Bow Hunting Permit? (Why notarized?)

Chair Wainwright stated that Assistant Town Administrator Angela Wesson inquired why the bow hunting permits require a notarized signature. Chair Wainwright continued that unless anyone has a reason not to, he will remove this requirement from the permit documents. The Commission agreed that a notarized signature is likely not needed.

l. Updates to the Policies and Guidelines for the Use of Conservation Land?

Chair Wainwright stated that he received a question about someone using metal detectors on conservation land. Chair Wainwright continued that this came up originally because of the Sawyer cellar hole, but it probably makes sense to have this procedure apply to all conservation lands. The Commission had a lively discussion about dog feces signs and practices on conservation land, and generally agreed that bagging it is not required, but people should not be leaving it on the trails either. Member Chrétien stated that she believes there should be a leash law on the conservation lands but she feels like no one would follow the rule anyway. Member Chrétien continued that it might behoove the Commission to add the leash requirement simply from a liability standpoint.

m. Additional RCCD Invasive Plant Mitigation in 2023?

Chair Wainwright stated that he received an inquiry from the Rockingham County Conservation District asking if the Commission wanted to do more invasive plant mitigation work this year. Chair Wainwright continued that, since the funding from the original warrant article has been spent, and there will not be a warrant article on this year's ballot, he'd like to let the forest rest for a year and see how it grows back. The Commission agreed by consensus.

n. Brief Review of Revised Garage Plan for 7 Noyes Lane

Chair Wainwright stated that a resident wanted to build a 20' x 30' garage at 7 Noyes Lane. Chair Wainwright continued that the issue is that the area is forested right up to the driveway and there is a wetland on the property. Chair Wainwright stated that they looked at the rest of the property, and the location they selected for this garage truly is the only practical spot on the property. Chair Wainwright continued that in this proposed location, the garage would be 55' from the wetland at its closest point so they need a wetland setback variance from the Zoning Board of Adjustment.

Chair Wainwright stated that one of the Commission's recommendations to the ZBA was to recommend approving the wetland setback variance with the stipulation that a limit of clearing be included on the plan. Chair Wainwright continued that this plan does not include a note that says this limit of clearing runs with the land. Chair Wainwright stated that with the Commission's approval, he'd like to work with Member Nenart on the proper wording and then write a follow-up letter to the ZBA. Members agreed by consensus.

o. DES D&F permit for a retaining wall replacement – 20 Lakeside Drive

Chair Wainwright stated that he received a dredge and fill permit request for 20 Lakeside Drive. Chair Wainwright continued that this permit is required to repair a retaining wall. Chair Wainwright stated that the way these permits work is that the Commission does not have to write a letter of approval but if they send no letter, it sails through the approval process. Chair Wainwright continued that in speaking with Member Legault, she could not think of any reason to object to this project. Chair Wainwright asked the Commission for any objections here, there were none.

p. DES Permit for Utility Work on Sheep Island

Chair Wainwright stated that he received a DES SPN permit in the mail, which is what utility companies need prior to beginning work in a wetland. Chair Wainwright continued that Sheep Island is located at the end of Boulder Cove Road. Chair Wainwright stated that the electric utility lines come down Hemlock Heights Road, then down Chase Island Road, then across the water to Sheep Island, then across the water for the homes at the end of Boulder Cove Road, and then down to service the residents on Lakeside Drive. Chair Wainwright continued that this makes it very difficult to get utility service trucks out to this area and they will need to lay down mats during the winter when the lake is down to get their trucks onto

Sheep Island. Chair Wainwright stated that the plan is to replace several utility poles on Sheep Island and, given the details of the project, he has no concerns about this activity. Other members agreed.

- q. Upcoming Wetland Setback Variance Application: Map 14 Lot 37 (16-acre parcel behind 76 Maple Avenue)

Chair Wainwright showed a map of 76 Maple Avenue and stated that there will soon be a wetland setback variance application for this property. Chair Wainwright explained some of the challenges with where the driveway will be installed, and there needs to be some further engineering work to understand the best layout. Chair Wainwright stated that the engineer, Charlie Zilch, will be at next month's Commission meeting to present this project in greater detail.

- r. NHACC Wetland Training starts this Friday, January 27 – who is attending?

The Commission had a brief discussion about this upcoming training and stated that four Members would be attending and are looking forward to this event.

- s. Discussion of 2023 Warrant Articles (Deliberative Session is Saturday February 4th at 10:00)

Chair Wainwright stated that he sent out the list of warrant articles and asked the Commission if anyone had comments or concerns related to conservation, there were none.

- t. How shall we celebrate our 50th Anniversary next year? (1974 – 2024)

Chair Wainwright stated that next year will be the Commission's 50th Anniversary and he would like to have some sort of recognition at next year's Deliberative Session. Chair Wainwright continued that it would be a good year to host monthly events if possible. Member Newman stated that community outreach is important to get residents involved, informed, and ingratiated with the Commission and their activities.

u. Other Business:

Chair Wainwright stated that he is in the process of working the with Southeast Land Trust on the conservation easement for Debbie's land.

Chair Wainwright stated that there has been no movement on the encroachment at 4 Stickney Road. Chair Wainwright continued that the next step is to have a discussion with Town legal counsel on how to move forward.

9. Next Meetings: February 22 and March 29, 2023

Chair Wainwright stated that the Planning Board would like to meet the 4th Wednesday in March, and we could meet either the 3rd or 5th Wednesdays. By consensus we agreed to meet on the 5th Wednesday, March 29.

10. Expect a Public Hearing some Thursday in the not-too-distant future concerning a purchase of land

11. Hold the Date: NHACC Annual Conference will be Saturday, November 4, 2023

12. Non-public Session Under RSA 91-A:3, II (d)

Member McVay made a motion to go into a non-public session under NH RSA 91-A:3, II (d) for the consideration of the acquisition of land. Member Fournier seconded the motion. Vote: 7/0/0, the motion carried.

The meeting went into non-public session around 9:00 PM.
Minutes of this non-public session are contained in a separate document.

Member McVay made a motion to exit non-public session. Secretary Fournier seconded the motion. Vote: 7/0/0, the motion carried.

The Commission exited non-public around 9:20 PM

13. Seal the non-public minutes

Member McVay made a motion to seal the minutes from the non-public portion of the January 26, 2023 meeting of the Atkinson Conservation Commission, to be reconsidered at the June 2023 meeting of the Commission unless the matters discussed are resolved and the minutes are unsealed sooner than that. Member Kukshtel seconded the motion. The vote: 7/0/0, the motion carried.

14. Adjournment

Alternate Chrétien made a motion to adjourn. Vice Chair Steele seconded. The meeting was adjourned by consensus.

The meeting was adjourned around 9:20 PM.

Respectfully Submitted,

Zachary Gilberti, Recording Clerk