

Minutes, Atkinson Conservation Commission
5 January 2011
Atkinson Town Hall

Call To Order by Chairman Tim Dziechowski at 7:12.

Attending:

Tim Dziechowski
Dan Kimball
Scott Kukshel
Denise Legault
Pete McVay
Paul Wainwright

Guest Business and Plan Reviews:

- **Julie LaBranche**, RPC, continuing NRI review. Julie passed out “final” drafts of the NRI. This is the last meeting before the grant ends on January 31st, and there are a few minor and some major changes in this final draft. Julie can accept amendments until January 31st, and will send the commission the final copy on a CD, with one large-format set of maps and four printed reports. Tim has a few minor amendments on the town land which he will send to Julie in the next few days.

Julie reviewed some substantial changes and areas in the draft that need additional information:

- **P. 7:** the total number of farms in Atkinson need to be confirmed by Sue Killam. Only commercially active and viable farms will be included in the list.
- **P. 26:** the fishery section needs completion. Tim noted that there are only three amphibians on the endangered list, and he recalled that there were four. Julie will check the value.
- **P. 31:** the forestry section was expanded by Julie and a “Champion Tree” section was added. Champion trees are unusually large specimens for their species and are worth noting in the town inventory. There may be additional Champion Tree candidates that may be added in the future.
- **P. 34:** the Town Forest section needs to be added. Tim provided references. In discussion, Scott pointed out that there are discrepancies between some of the town forest lists and the tax cards that need to be resolved. Julie had asked Charlie Moreno for an update on the forestry plan by mid-January and will remind him.
- **P. 36:** a section on the history of land protection in Atkinson is needed: in what time frame did the town become actively involved in preservation? Tim replied “in the 1970s” and Scott said the 2000 annual report had a large section on that. Chet Ladd and Carol Grant were instrumental in developing a conservation program.
- **P. 39, section 8.5:** goals and objectives need to be reviewed. Tim recommended a “density bonus” strategy be included, where higher densities of industry and professional space would be allowed in exchange for publicly-accessible open space. There was discussion of other options for increasing awareness of town lands, such as cookouts, trail walks, etc. Julie will add the additional comments.
- **P. 53, section 10.10:** this is the final section and needs to be written. Julie cannot make the February meeting, but will send the final copy as noted above. Julie will also review the final copy with the Atkinson Planning Board.

- **Tim Lavelle**, seeking wetlands setback variances for two clients:
 - **Sandy Fuhs**, 35 Boulder Cove Road, Map 23 Lot 74 (Tom Schwandt's house) Addition increasing square feet from 1334 to 3048. The existing septic is to be moved further from the lake area. Also, Sandy plans to change the plantings to use more groundcover to reduce runoff and soil erosion along the waterline. Tim LaValle responded to a question from Denise that very few trees will be removed. House will still be a three-bedroom, even with the addition. The grading will be done using existing site fill from the construction. This goes to the ZBA on 9 Feb. A motion was made to recommend the plan to the ZBA, since it is a significant improvement to the existing property. The motion was seconded and was approved unanimously.
 - **Gordon Allen**, 37 Boulder Cove Road, Map 23 Lot 75 expansion, more compliant footprint, new septic, year round conversion. The plans move the new structure further up from the lake. The existing deck is 10.2 feet from the water and the proposed deck will be 22.5 feet away. A motion was made to recommend the plan to the ZBA. The motion was seconded and was approved unanimously.

Review of Correspondence

- Thank you note from Elizabeth Gagnon (PBN permit granted)
- RPC 50/50 matching grant program for planning projects through mid 2011.
- Planning Board minutes and agenda - NRI review at 12/15 and 1/19 meetings. Very little activity: public hearing for a zoning change that would disallow frequent truck traffic at night in all zones in Atkinson. No site plan or subdivision hearings.
- ZBA minutes and agenda - Wetlands variances: Gordon Allen, as discussed above.

Other Dredge and Fills / Site Walks / Complaints

- Tim, Pete, and Denise walked the Caroline Orr town forest and private lot and found the boundary markers. The paved path is entirely on the abutting private lot (Map 5 Lot 53). There is an issue about the infringement of Map 5 Lot 65 into the Town Forest. Tim walked the boundaries and found the surveyor pins, and there is no infringement of Map 5 Lot 65. Map 5 Lot 66 and Map 5 Lot 42 pins could not be located.
- LCIP report for Caroline Orr town forest, paintball fort is only problem. Tim will do the monitor report.
- SPNHF 2010 monitoring report, Williams, W&M, #4. New reporting requirement. Since our part crosses into Hampstead, it is erroneously reported as 10 acres when the Atkinson side is only 3 acres. Need a site walk to confirm.
- Osborne, DES file 2010-00836, permit denied for lack of information. New DES application procedure: if anything is missing the whole application gets returned. Previously it would have been classed as "administratively incomplete".

Other Business

- Sawyer Forestry Cut done, net receipts to forestry fund \$22,814.99. Ten percent of this goes to the general fund in lieu of timber tax. Still have some paperwork with Charlie and the State to wrap this up. Charlie has more mill slips and one more check to send us. He promises this will be done by next week. Charlie also must finish the updated Forestry Plan, and there may be some extra cost associated with additional parts to the Plan. It was also noted that the Sawyer Land cut had obliterated some of the trails and changed others, and the trails need to be remarked and repaired.
- Next forestry project: waiting for Forestry Plan before moving forward.
- 2011 town meeting warrant article, current use tax to conservation fund. Selectmen put warrant on the ballot.

- Southeast passage: project was abandoned: there are too many easements and restricted access parcels to make the trail viable.
- Prime wetlands, DES file 2010-02254, under technical review by Frank Richardson of the DES Pease office. Tim asked Jim Garrity to jumpstart this.

Internal Business

- Treasurer's report, 2010 end of year bills
 - Ted Stewart re-graveled part of Forest Road extension at the curve
 - Bought more "no hunting" signs and some no parking signs to put on the trail gates so people don't block fire lane access
 - Bought some Local Government Center (LGC) books, two copies of *A Hard Road to Travel* and *Knowing the Territory*, a few conservation reprints from the law library
 - Paid 2010 SPNHF dues
 - Paid for November and December minutes from Professional Services budget
 - Asked Selectmen to encumber balance of 2010 professional services and special projects budget to use for surveying and monuments for early 2011 land project. The Selectmen have verified the encumbrance.
- Town web page update: Pete said that original web site has a lot of legacy code (FrontPage and possibly other extensions) that are preventing clean updates and formatting. He asked if he could archive the old web site and replace it with a new "pure" HTML site. The Commission informally agreed. Scott pointed out a few minor corrections that Pete will do before moving the site.

Commission went into private session under RSA 91-A:3, II (a) (d) to discuss land purchase and possible gift lands. It was moved and seconded to go into private session, Passed unanimously.

Private Session: Conservation Easements / Land Purchases

The **small parcel on the end of the Carolyn Orr land** is owned by a resident of Plaistow who will sell it for \$6,000. The discussion was on whether or not the land should be purchased.

Pro:

- Intrinsic conservation value: it would complete the Caroline Orr conservation area and provide a continuous buffer between Main Street and East Road, and a buffer for the proposed train layover area.
- Wildlife habitat: the area is a flyway for waterfowl and also a haven for numerous small mammals and deer.
- The price is reasonable and the land is unencumbered. We may never get another opportunity to purchase it at this price and with minimal paperwork and effort.

Con:

- Other large parcels, such as the Gordon Brown land, may require funds and the land use fund should not be depleted.
- An argument could be made that the plot has no inherent value, given that it is undevelopable. The Commission could be perceived as wasting money, which would affect voting on the land use warrant article at the Deliberative session.

The majority of the Commission members attending were opposed to purchasing the land at this time.

Blunt's Pond: Carol Grant is trustee of the McPherson trust for some land purchase and was concentrating on the "Southeast Passage" plan. Since the Southeast Passage is no longer viable, she has been examining approximately six acres on the adjoining Gary Whitley Christmas Tree Farm. Carol can't buy because it has no frontage (non-conforming lot). Claire Hamilton owns the pond. Carol is trying to convince her that the only way to give the lot to the town would be to give the front half also, which has frontage. There was discussion of the eutrophication of the pond and possible mitigation. Assuming land passes to town, the commission has to go to the planning board with a lot line adjustment. We would need a survey of the pond before it was accepted.

A motion was made to seek bids to survey the lot line adjustment. Motion was seconded and passed unanimously.

Private session was closed at 10:24 by motion that passed unanimously. A motion made to seal the minutes of the private session. The motion was seconded and passed unanimously.

Secretary report - Review/approve minutes. A motion was made to defer the minute review to a special workshop to be held on Monday, January 10th, AT 8:00. The motion was seconded and passed unanimously. Pete will review and distribute copies of the outstanding minutes before the meeting.

The next meeting of the Commission will be Monday, February 7th, at 7:00.

The meeting adjourned at 10:30.

Respectfully submitted,

Pete McVay