

Atkinson Conservation Commission Minutes
Monday, April 1, 2019
Atkinson Town Hall

Approved May 6, 2019

Members Present:

Paul Wainwright, Chair
Denise Legault, Vice Chair
Pete McVay, Secretary
Dan Kimball
Dennis Krause
Jeff Nenart, Alternate

Others Present:

Adam Torris
John Troy
Jeff Flieder
Timothy Lavelle, Lavelle Associates
Michael Torris

1) Call to order, attendance

Chair Wainwright called the meeting to order at 7:30 PM, Monday, April 1, 2019. Chair Wainwright reviewed the attendance list and declared that a quorum was present.

2) Review and approval of minutes: March 4, 2019

Chair Wainwright requested a motion to approve the minutes of the March 4, 2019 public meeting of the Atkinson Conservation Commission, as written.

Vice Chair Legault made a motion to approve the minutes of the March 4, 2019 public session of the Atkinson Conservation Commission as written. Secretary McVay seconded the motion. The motion carried unanimously. 6/0/0

Chair Wainwright requested a motion to approve the minutes of March 18, 2019 special meeting of the Atkinson Conservation Commission.

Member Nenart made a motion to approve the minutes of the March 18, 2019 special meeting of the Atkinson Conservation Commission, as amended. Member Krause seconded the motion. The motion carried 5/0/1, with vice chair Legault abstaining because she was not in attendance.

3) Treasurer's report:

Chair Wainwright reviewed the highlighted expenditures on the treasurer's report (see attached) for the month of March, 2019. There were no questions or discussion on the expenditures.

4) Member Appointments:

Chair Wainwright reviewed member appointments: Chair Wainwright will reapply, Member Dziechowski will reapply, Mr. Nenart (currently an alternate) will apply to become a full member, which will leave a slot open for an alternate member. Chair Wainwright stated that he has an application from Bill Steele for the alternate position. Chair Wainwright explained that all positions will be three year terms, and Bill Steele will be finishing one year of an unexpired three year term.

Chair Wainwright expressed that he would like for more women to get involved. Secretary McVay stated he may have a candidate. There were no further questions or discussion.

5) Eagle Scout Proposal – Adam Torris – Canoe Launch, and other Scout projects:

Eagle Scout Adam Torris came before the Commission with his proposed improvement plan for the Atkinson Canoe Launch, as follows:

Adam would like to clean up the existing area and make it more known and accessible.

Upper Area Improvements – Adam currently observed bent parking signs, parking berms out of place, dead sticks and weeds, and the large pavement drop-off makes it hard to drive out. He would like to use gravel or dirt to level that area.

Parking berms are broken and half of them are buried. He would like to take them out, clean them off and reposition them, and refresh the paint. Chair Wainwright supplied Adam with stencils.

Adam would like to place new signs – One turning on to Stickney Rd., and one on Rt. 111. There is a question if there are any state regulations for the placement of the sign on Rt. 111.

Dock improvements – there are worn out boards, weeds and leaves crowding up the steps. Cost wise he does not feel it is feasible to replace the entire deck, but would like to replace boards and stain the entire dock.

Secretary McVay suggested using “green” deck stain. Member Krause suggested that Adam look into composite decking for replacing the boards. Chair Wainwright pointed out that pressurized lumber is poisonous and it might be a good idea to consider synthetic decking.

Requirements for this project include:

Funding for the materials – Approximately 5 new boards for the dock - approximately \$15, stain for the deck and paint for the berms - \$50, clearing off and repositioning current berms – no cost, he would use his own water for this; new signs – dirt or gravel to ease the slope around the parking area – Freshwater Farms – under \$50. Adam stated that he feels he could complete the project as explained for under \$300. Chair Wainwright agreed, and stated that that was the budget he had in mind. He stated that if he has to go slightly over

budget, that would be fine, but if he finds it would be more substantial, Chair Wainwright directed Adam to come back to the board to reassess.

Adam stated that the project would be completed by Troop 9 and they would be working the week of April vacation and the week after. He estimates the project would be completed by Memorial Day.

Chair Wainwright asked the Board for feedback on the project. All members were in agreement that this is a beneficial project. Chair Wainwright also suggested that Adam consider engraved wooden signs. Mr. Flieder stated that he could help with that as he is a woodworker and Member Kimball offered wood materials that he currently has.

There was discussion about distinguishing property lines. Member Nenart stated he would mark the lines. Member Krause stated that a neighbor suggested to define parking spaces, they be stenciled in yellow and white, and also suggested two new benches. Member Nenart suggested memorial benches.

Secretary McVay moved to approve the project with a budget of approximately \$300, Member Nenart seconded the motion. The motion carried unanimously. 6/0/0

John Troy addressed the Board regarding the Eagle Scouts performing projects for the town such as trail cleaning, pulling brush, removing trees, etc. He asked what the Board's priorities would be. Member Krause suggested that they start with the Orr property behind the Atkinson Community Center. He stated that the trail needs to be blazed and stated there is a lot of debris that needs to be cleared.

Member Wainwright suggested Chadwick Town Forest on Merrill Dr. He stated that it is overgrown. Mr. Troy requested that the corners of the property be marked because there is no definition because of overgrowth. Member Nenart stated that he would not be able to officially mark them, but explained that he can recover monuments. Mr. Troy stated it might be feasible for the surrounding neighbors to mark the corners. Mr. Flieder stated that he spoke to one of the neighbors and he would like to clean it, and knows the boundaries. Mr. Flieder will email his name to the Commission.

Chair Wainwright stated that for the trails for the three towns of Atkinson, Hampstead, and Plaistow, there is a 911 responder system being put in place. He stated that the signs and posts have been purchased, and they need to be placed, and the trails need to be blazed. Chair Wainwright also stated that included in the project is the installation of a gate to keep traffic out of the town forest. He requested that Member Kimball research gate options. Chair Wainwright stated that a gate is also needed at the back end of Carolyn Orr Town Forest.

Mr. Troy requested permission to start with the Carolyn Orr trail work and the Chadwick Town Forest for this spring's projects. Chair Wainwright agreed.

Secretary McVay discussed the Trails and Grants Working Group. They are looking for people to get involved.

Mr. Flieder addressed the work that has been done in the past by the Troop and they feel they have some ownership of the projects, and would like to keep up with the work that has been done in the past. Secretary McVay stated that they have a voice and invited Mr. Flieder to be sure to voice his requests. Member Krause suggested an honorary plaque at the bridge on the trail leading to Merrill Drive to acknowledge who built it.

6) Wetland setback variance request: Map 16 Lot 4, Industrial Way – Tim Lavelle

Mr. Lavelle addressed the commission with the request (see attached). Chair Wainwright asked if Mr. Lavelle's client actually owns the property, because Planning Board Chair Sue Killam was approached by another party about that land for a different purpose. Mr. Lavelle stated that his client does not own the property as of yet and explained that he was given permission by the actual owner. He explained that the property was mapped 2-3 years ago, and went on to review the plans with the Board. He explained that his client would like to place a building in the front and is seeking a variance for wetland setback and roadway setback.

Chair Wainwright asked what the requirement for the roadway setback would be. Mr. Lavelle stated it would be a 20' variance to a 50' setback. Mr. Lavelle stated that Palmer Gas is his client and they still have to look at the drainage design. He explained that they would like to use the space mainly for a storage space.

Mr. Lavelle explained that Bill Ermer from Palmer Gas stated that they want to construct the building (with parking) in the front, and would place a conservation easement in the back so that the land would never be disturbed, if the Conservation Commission or the Zoning Board requested that.

Chair Wainwright asked if a restroom would be in the building. Mr. Lavelle replied yes, and the septic system would be in the front, and there is only a 10' requirement off the street for that.

Member Nenart stated he feels that this is a very reasonable use of the property. He feels it isn't intrusive and that feels that this is the lowest impact use for this property.

Chair Wainwright stated that he has looked at aerial photographs of the property (see attached), and he is concerned because there appears to have been a lot of moving of the earth in the back of the property. He explained that before this request can go any further he would like NH-DES to see if any wetlands have been filled. Mr. Lavelle stated that he hasn't been on the property in some time and did not realize this has been done. Chair Wainwright stated that he is not in favor of discussing this variance request until the question of the wetlands has been answered.

Vice Chair Legault stated that one advantage of this proposal is that the applicant is known, and has been a long-time resident/businessman in the town.

7) Page Farm Update

Chair Wainwright stated that he wrote a letter expressing the Commission's objections to the use of the perimeter buffer, and feels the letter gained a lot of traction. He explained the "Administrative Gloss" term to the Commission that was discussed in the last Planning Board meeting. Chair Wainwright believes the applicant needs to prove whether there has been a pattern of conscious decisions on the Planning Board's part to make use of the buffer despite the objection of an abutter. Chair Wainwright stated he does not believe that has ever been the case.

Chair Wainwright explained that there is an appeals process that the Conservation Commission can opt to do if need be. He informed the Commission that the Planning Board will be researching previous plans for similar cases, and invited anyone from the Conservation Commission to attend the next Planning Board meeting on April 3.

Secretary McVay wanted confirmation that the burden of proof lies with the applicant and not any of the town agencies. Chair Wainwright stated he believed that was the case.

Chair Wainwright also stated that the state still hasn't granted the Alteration of Terrain permit. He explained that he feels it may be because of endangered species, which are the Blanding's Turtle and the Spotted Turtle.

Secretary McVay explained to the Commission the markings on the turtles, and stated that these turtles inhabit Southeast New Hampshire and nowhere else in the state. He informed the Commission that they travel long distances and lay their eggs on land, and that both have been sighted in the western portion of the Sawmill Swamp, which this project abuts.

8) Land Conservation Resource Documents – Updates since March

Chair Wainwright stated that he has updated the Land Conservation Resource documents. He stated that in Section 1 he has added two demographics reports, which are the U.S. Census data and the regional overview from the Rockingham Planning Commission's own master plan. Under Section 6, Potential Funding Sources, Chair Wainwright stated that he applied for a grant to support Phase I of the Land Conservation Planning, namely hiring Julie LaBranche to do Phase I. The application went to the Grassroots Environmental Fund. He invited the Board to read the application on the web page.

Information on the Blanding's Turtles and Spotted Turtles has been added in Section 9. For the Trails and Grants Working Group, there is a new Section 10 that has been added. He included all the notes and AllTrails maps that Member Krause has provided. He noted that the Sawmill North Trail is missing, and he left a space for that to be added. Chair Wainwright discussed the correct names of the various trails and forests.

The Board expressed gratitude and complimented Member Krause on his hard work compiling the maps.

9) Land Conservation Plan

- Grassroots Fund Grant Proposal – Application has been submitted for \$1500, with \$1500 to be matched from the Commission’s annual budget, to fund Julie LaBranche to guide the Commission through Phase I. Chair Wainwright explained that Phase I is to figure out what the plan should contain, identify/qualify contractors to actually create the plan for the Commission, and help vet them. Once a contractor is hired and the work is underway, that would be Phase II.
- Julie LaBranche presentation - Chair Wainwright informed the Board that Ms. LaBranche will be making a presentation on May 2, 2019 at 6:30 pm at the Kimball Library. Chair Wainwright would like to introduce Ms. LaBranche, and would also give an introduction to the Land Conservation Resource Documents website.

Chair Wainwright invited questions/discussion – There were none.

10) Trails and Grants Working Group Progress Report – Secretary McVay

Secretary McVay stated that the first meeting was April 1, 2019 with three in attendance, and they are making progress and discussed moving forward. He will distribute notes when they are finished. He would like townspeople to get involved in this endeavor. Chair Wainwright stated he will put information on the Commission’s Facebook page. Member Krause volunteered to do any leg work that comes up while Secretary McVay is away.

11) Bittersweet Mitigation on Sawyer – Shall we spend Forest Maintenance Fund Money?

A resident near the Sawyer Town Forest attended last month’s “office hours,” and encouraged the Commission to mitigate the bittersweet in the eastern part of that land, as is recommended in the 2010 Forest Management Report for that land. Chair Wainwright feels that professional machinery would be needed. Member Nenart asked about the cost and Chair Wainwright said he didn’t know what the cost would be. Chair Wainwright stated that he would like to line up grant funding to supplement the money in the Forest Maintenance Fund. Member Nenart stressed that a budget is needed, but reiterated that he feels it would be proper use of the funds. Member Kimball stated we have to identify where the focus is and feels the worst is near the 4H entrance. Secretary McVay stated that once the bittersweet is mitigated, it needs to be kept under control.

Chair Wainwright stated that he needs to figure out what approvals are necessary to spend money from the Forest Maintenance Fund, and feels it might require a town meeting warrant article. He feels that bids need to be lined up beforehand.

The Commission discussed different ways to figure out the scope of work.

12) Brief Reports & Other Business

a. "Office Hours"

Chair Wainwright stated that the office hours have been successful. He met the couple who bought the Kutzelman's place, and they would like to build a barn. Chair Wainwright suggested they come before the Commission when they have their plans.

Chair Wainwright stated that he will continue the office hours, and invited other members to join him. Chair Wainwright asked Member Kimball if he could be present at the 4/19 time slot. Member Kimball stated he will let him know,

b. Chadwick Town Forest

Chair Wainwright stated that he and Vice Chair Legault joined Charlie Moreno for the walk. Mr. Moreno's assessment is that the health of the forest could benefit from a light thinning, but it would chew up the forest. Chair Wainwright feels that is not feasible at this time. Mr. Moreno pointed out that most of the trees all started growing around the same time in the 1940's. Chair Wainwright stated there was a big fire in that part of town in the 1947-1948 timeframe, which dates the forest. Member Kimball stated that he remembers this fire from when he was a child.

c. Invasive Plant Mitigation at the Brush Dump by Rockingham Conservation District

Chair Wainwright informed that the funding came through and got selectmen approval. Chair Wainwright signed the application.

d. Presentation about Invasive Plants

Greg Jordan, UNH Cooperative Extension will present to the Atkinson Garden Club, April 3, 6:30 PM at the Atkinson Community Center. Chair Wainwright stated he will be attending.

e. Historical Society Noyes Rock Shelter Walk

The new date is April 7, 2019.

f. Erosion Complaint from Edward Rossetti, 22 Main St.

The Commission received a call from Barbara Snicer stating a complaint was made from Edward Rossetti, whose property abuts the southern edge of the McPherson Town Forest on the east side of Main Street (see attached). A portion of the survey is attached. Water is seeping onto Mr. Rossetti's property and causing problems. The builder of Mr. Rossetti's home many years ago excavated a large cut into the hillside to produce a level yard, and apparently cut into a subterranean stream. The erosion from this water seepage is so bad that it is about to damage the stone wall between Mr. Rossetti and the conservation land. Chair Wainwright feels this is not a town problem.

e. Other Business

Chair Wainwright asked Member Kimball if he could order farm gates for the end of Robie Lane. He feels two 8' gates should suffice for the end of Robie Lane, and also the Chambers-Fela Town Forest needs to be gated. Chair Wainwright asked Member Kimball to price 8' gates. Member Kimball stated that they are approximately \$300-\$500 each, and stated if it was a telescoping gate, one gate would suffice. Chair Wainwright asked Member Kimball to price them out.

Save the date: The NH Association of Conservation Commissions annual conference will be the first Saturday of November, November 2, 2019, and Chair Wainwright encouraged everyone to hold the date for this important educational opportunity.

Brent Ebner is ready to blaze some trails and put in junction markers, and it would be beneficial if a Scout could work with him. Member Krause would like to continue on with the blazing of the town's trails. Secretary McVay still has a Terrain Navigator Pro license. He asked Member Krause if he would like to get into that, and Member Krause stated that he would after the trails are done. Secretary McVay offered him access to familiarize himself with it.

Bio Blitz – Chair Wainwright applied for this UNH-sponsored program where scientists would come in and participate in a type of scavenger hunt where townspeople would get involved and find objects in a piece of land, and experts would identify what they are. This would allow the school, Lions Club, and church to get involved.

Managing town forests – UNH will hold this in Fremont on Jun 7, 2019 at no cost.

ZBA Meeting on 4/10 on the Foley's subdivision application.

Vice Chair Legault presented a map of Weir Hill in North Andover and suggested this is something the Commission should think about implementing.

Next Meetings

The next two regular Conservation Commission meetings will be Mondays May 6, 2019 and June 3, 2019.

13) Adjournment

Chair Wainwright requested a motion to adjourn.

Vice Chair Legault made a motion to adjourn the April 1, 2019 meeting of the Atkinson Conservation Commission. Member Nenart seconded the motion. All members of the Conservation Commission present voted in favor. Vote: 6/0/0.

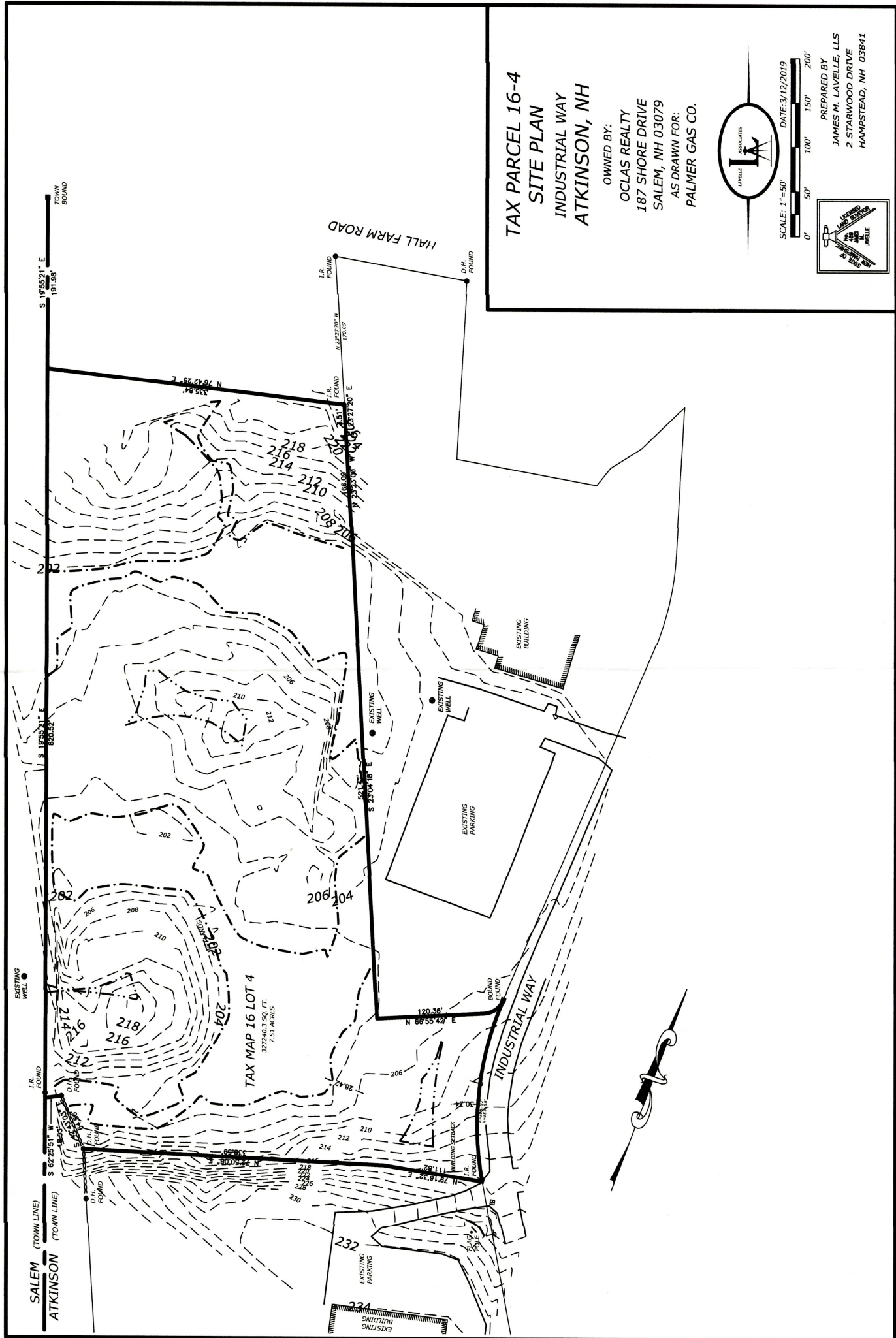
The meeting adjourned at 9:07 PM.

Attachments:

- Treasurer's Report
- Proposed plan for Map 16 Lot 4 (2 pages)
- Aerial photographs of Map 16 Lot 4
- Rossetti survey

Town of Atkinson Conservation Commission 2019 Budget Tracking

Account Number	Description	TM Approved 2019 Budget	What	Amount	Date Prepared	Date Submitted	Amount Submitted	YTD Total	YTD Unspent
40.46111.110.00	RECORDING CLERK	\$ 998.00	Minutes, Jan 7, 2019	\$82.50	1/14/2019		\$82.50	\$ 82.50	\$ 915.50
40.45111.220.00	FICA	\$ 1.00						\$ -	\$ 1.00
40.45111.225.00	Medicare	\$ 1.00						\$ -	\$ 1.00
40.46111.390.00	OTHER PROF SERVICES	\$ 2,500.00	Minutes, Mar 3, 2019 Minutes, Feb 4, 2019	\$120.00 \$156.00	3/26/2019 2/21/2019	3/26/2019 2/22/2019	\$120.00 \$156.00	\$ 276.00	\$ 2,224.00
40.46111.550.00	PRINTING AND BINDING	\$ 1.00						\$ -	\$ 1.00
40.46111.560.00	DUES/SUBS/MEMBERSHIPS	\$ 400.00	NH Ass'n of Natural Resource Scientists	\$20.00	3/26/2019	3/26/2019	\$20.00	\$ 20.00	\$ 380.00
40.46111.620.00	OFFICE SUPPLIES	\$ 1.00						\$ -	\$ 1.00
40.46111.625.00	POSTAGE	\$ 1.00						\$ -	\$ 1.00
40.46111.650.00	CARE OF GROUNDS	\$ 3,000.00	Sign Posts (from late December) Registry of Deeds (Tim) Terrain Navigator Pro License Replacement float for Town Dock, -2% Ebner reimbursement: Junction Markers	\$37.18 \$3.00 \$361.00 \$126.89 \$103.68	3/26/2019 3/26/2019 3/26/2019 1/24/2019 1/2/2019	3/26/2019 3/26/2019 3/26/2019 1/25/2019 1/7/2019	\$37.18 \$3.00 \$361.00 \$ 124.35 \$103.68	\$ 629.21	\$ 2,370.79
40.46111.740.00	NEW EQUIPMENT	\$ 300.00						\$ -	\$ 300.00
40.46111.820.00	MILEAGE	\$ 74.00	Meeting w/ Eben Lewis 1/2/19 - 98 mi + \$4	\$57.41	3/26/2019	3/26/2019	\$57.41	\$ 57.41	\$ 16.59
40.46111.840.00	SPECIAL PROGRAMS	\$ 1,000.00	Barry Conservation Camp	\$315.00	3/26/2019	3/26/2019	\$315.00	\$ 315.00	\$ 685.00
40.46111.850.00	EDUCATION & CONFERENCES	\$ 250.00						\$ -	\$ 250.00
40.46111.875.00	SIGNS	\$ 500.00	Conservation Easement Boundary Markers	\$304.77	1/28/2019	1/29/2019	\$304.77	\$ 304.77	\$ 195.23
TOTALS		\$ 9,027.00						\$ 1,684.89	\$ 7,342.11



TAX MAP 16 LOT 4
 327240.3 SQ. FT.
 7.51 ACRES

**TAX PARCEL 16-4
 SITE PLAN**
 INDUSTRIAL WAY
 ATKINSON, NH

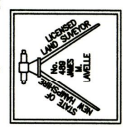
OWNED BY:
 OCLAS REALTY
 187 SHORE DRIVE
 SALEM, NH 03079
 AS DRAWN FOR:
 PALMER GAS CO.



SCALE: 1" = 50'
 0' 50' 100' 150' 200'

DATE: 3/12/2019

PREPARED BY
 JAMES M. LAVELLE, LLS
 2 STARWOOD DRIVE
 HAMPSTEAD, NH 03841



SALEM (TOWN LINE)
 ATKINSON (TOWN LINE)

S 19°55'21" E 191.89'
 S 18°55'21" E 820.52'
 S 82°25'51" W 154.93'
 S 82°25'51" W 154.93'

I.R. FOUND
 D.H. FOUND
 I.R. FOUND
 D.H. FOUND
 I.R. FOUND
 D.H. FOUND
 I.R. FOUND
 D.H. FOUND

HALL FARM ROAD

INDUSTRIAL WAY

EXISTING PARKING

EXISTING BUILDING

EXISTING WELL

EXISTING WELL

EXISTING BUILDING

EXISTING PARKING

232

234

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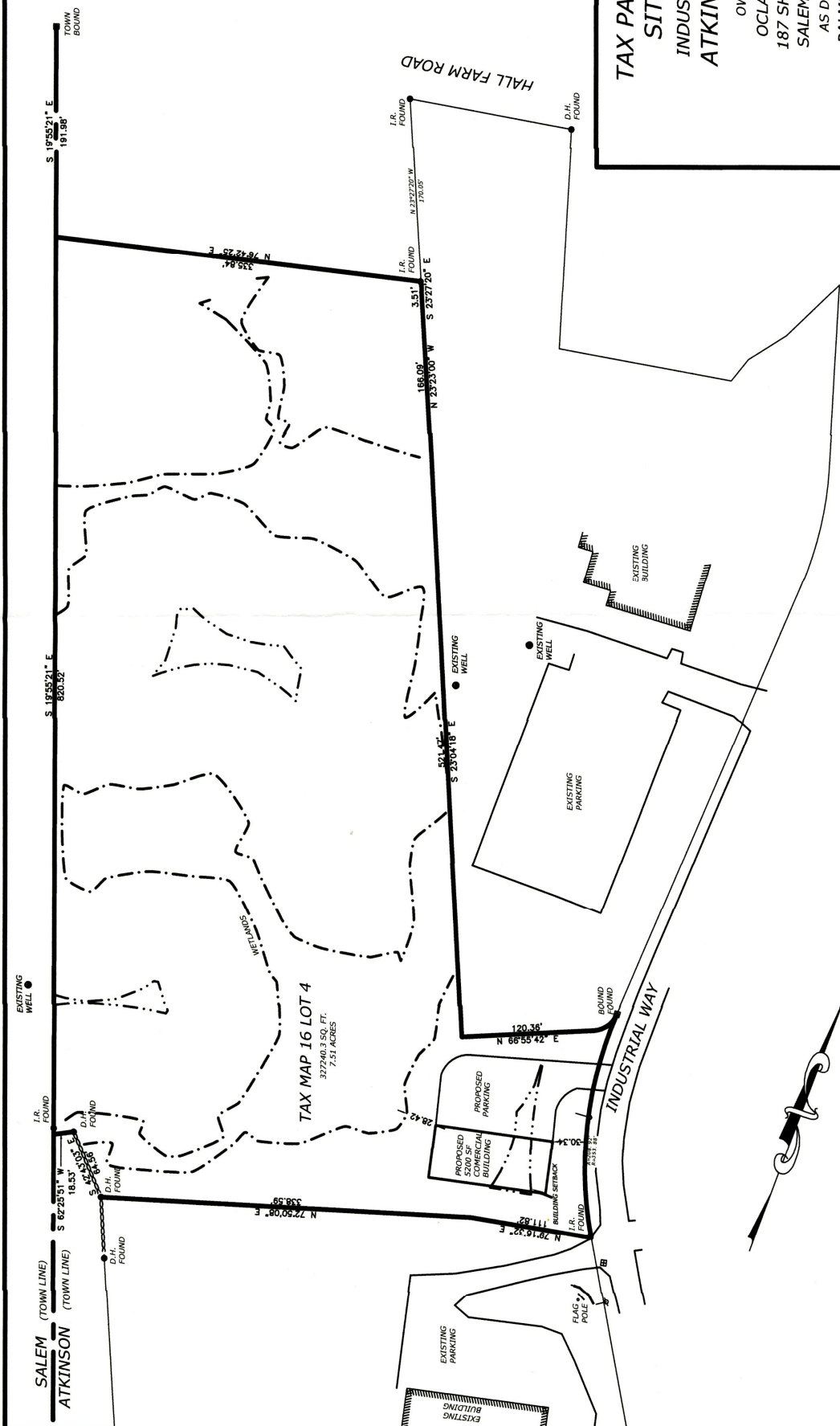
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TAX PARCEL 16-4
SITE PLAN
 INDUSTRIAL WAY
 ATKINSON, NH

OWNED BY:
 OCLAS REALTY
 187 SHORE DRIVE
 SALEM, NH 03079

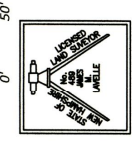
AS DRAWN FOR:
 PALMER GAS CO.

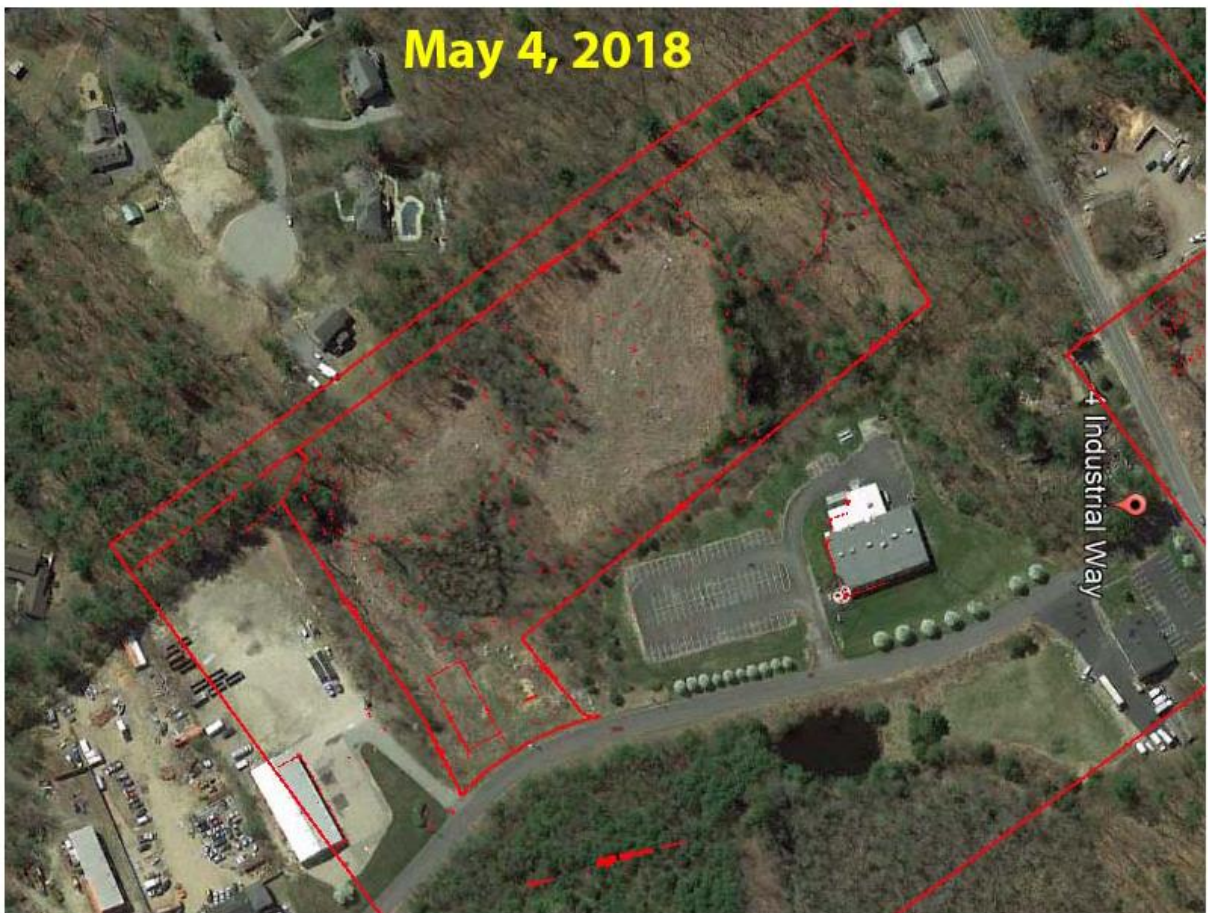
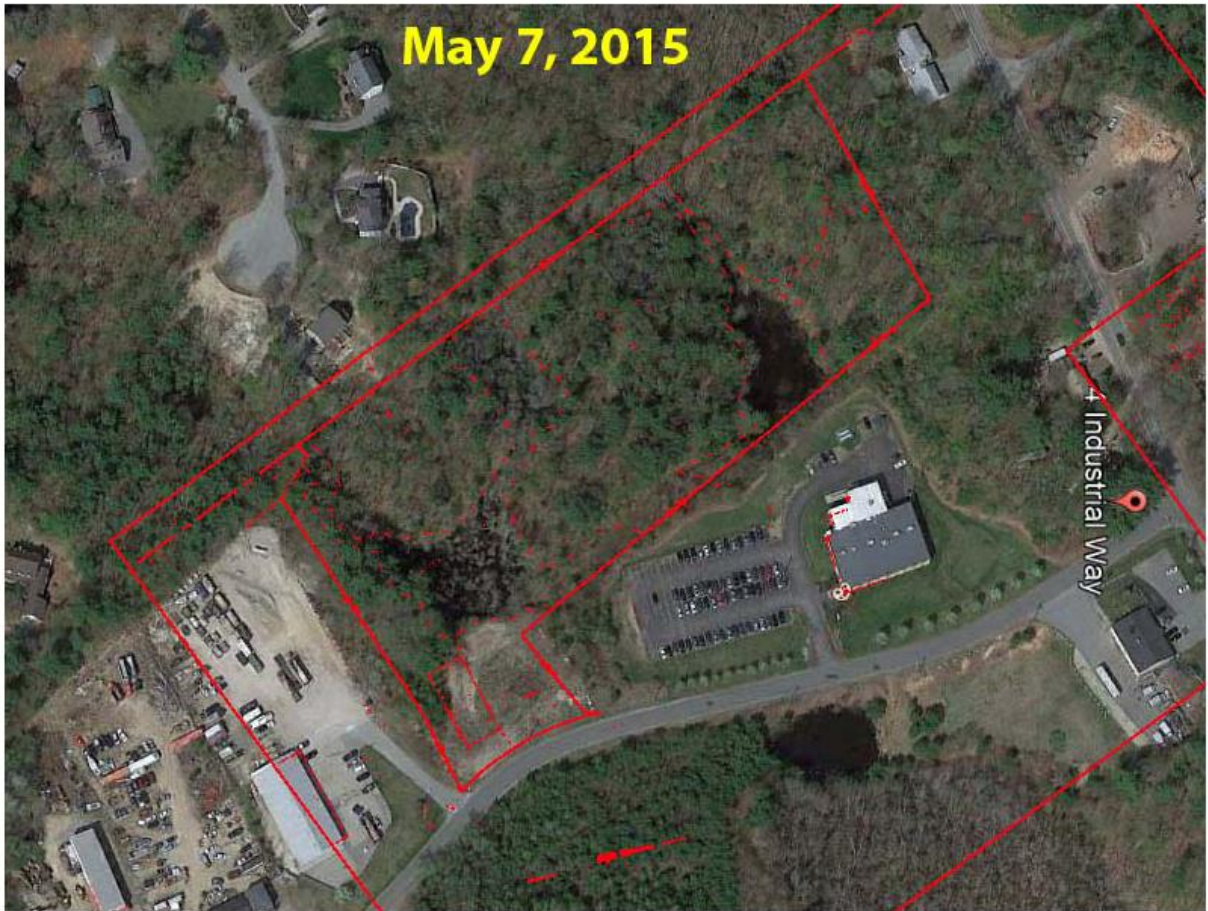


SCALE: 1"=50'
 0' 50' 100' 150' 200'

DATE: 3/19/2019

PREPARED BY
 JAMES M. LAVELLE, LLS
 2 STARWOOD DRIVE
 HAMPSTEAD, NH 03841





June 1983

176

C-11682



15.03 Acres ±

PARCEL 41

CHARGE GEORGE

TOWN FOREST
(RITA McPHERSON "EAST")

4.2 Acres ±

PARCEL 46

Main Street

Green Hill Drive

EDWARD
ROSSETTI

Philip B. Hannan
1985-311

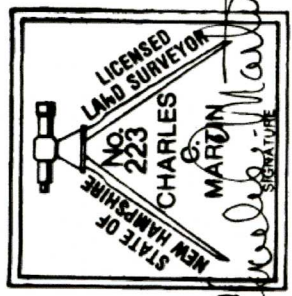
Herbert E. Mosher
1629-192

James F. Grimes
1941-493

L. Kenneth Botton
2375-1892

Patrick M. McConnell
2350-554

Marshall J.
2312-1985



Charles Marvin
SIGNATURE