

Atkinson Conservation Commission Minutes
Monday, November 4, 2019
Atkinson Town Hall

Approved December 9, 2019

Members Present:

Paul Wainwright, Chair
Denise Legault, Vice Chair
Pete McVay
Dan Kimball
Jeff Nenart
Scott Kukshel
Dennis Krause
Bill Steele (Alternate)
Tim Dziechowski (Alternate)

Others Present:

Steve Lewis
Michelle Veasey

1) Call to Order & Attendance:

Chair Wainwright called the meeting to order at 7:00PM on Monday, November 4, 2019. Chair Wainwright reviewed the attendance list and declared that a quorum was present.

2) Review & Approval of Minutes:

Chair Wainwright requested a motion to approve the minutes of the October 7, 2019 public meeting of the Atkinson Conservation Commission. Member McVay noted one typo that should be fixed.

Member Nenart made a motion to approve the minutes of the October 7, 2019 public session of the Atkinson Conservation Commission, as amended. Member Kukshel seconded the motion. Six members of the Atkinson Conservation Commission present at the October 7, 2019 meeting voted in favor. Vote: 6/0/1, with member Dennis Krause abstaining because he was not present on October 7.

3) Treasurer's Report:

Chair Wainwright presented the latest Treasurer's Report. A copy is attached. Invoices submitted for the past month are highlighted in yellow. Chair Wainwright stated that as the end of the year draws near, the budget is still very tight. Chair Wainwright also mentioned that, in order to keep within the budget for the year, he may not submit the critter camera or the hedge trimmer under the new equipment section; he may just end up owning these items.

4) Proposed Land Acquisition under RSA 36-A:4 – Steve Lewis:

Chair Wainwright introduced Steve Lewis and stated that he has a very interesting proposal to sell the Town a piece of land. Mr. Lewis stated that when he purchased this piece of land from the Stewart family it was contingent upon a “first refusal” chance for them to purchase the land back. Mr. Lewis stated that he reached out to the Stewart family and they were not interested in purchasing it back. Mr. Lewis stated that this piece of land is part of the Settler’s Ridge parcel, and is owned by himself as well as Dennis Spurling, since they own the Settler’s Ridge development.

To clarify the discussion, Chair Wainwright showed a copy of the tax map (attached to these minutes) with the 32.2 acre lot that Mr. Lewis wants to sell us outlined in orange. The adjacent 5 acre lot, highlighted in purple, is owned by Mr. Lewis’ son Jason. Mr. Lewis stated that he and his son had an offer sell their two lots to a developer who had a plan to turn the lots into a cluster development, but the terms of this offer have expired and are now null & void. Mr. Lewis stated that he was able to acquire topographical & soil maps for the 32.2 acre lot, and stated that the soil on this lot is high-intensity soil. Mr. Lewis stated that he believes this land should be in the public domain and was able to persuade his business partner to sell this land to the Town at a price lower than the offers they’ve received from other developers.

Chair Wainwright stated that he walked this land with Member Legault & Member Kimball, and asked them for their thoughts on the land. Member Kimball stated that the site is significant because of the abundance of various plant species that you wouldn’t find in most lots. Mr. Lewis interjected that this piece of land is contiguous to Town-owned land and that it has a very nice pond as well. Chair Wainwright stated that he is very interested in this land because it *is* contiguous to Town-owned lands and the fact that it provides an upland buffer to the adjacent Stuart Farm Pond, which is one of the Town’s prime wetlands. Member McVay expressed concern that the pond may be a “Great Pond” (larger than 10 acres) and might come under State jurisdiction.

Member Kukshel asked if there is walkable access from the Jane Jones lot. Mr. Lewis stated that the answer to this question may depend on the beaver activity in that area. Chair Wainwright stated that he has viewed aerial photos of the area on Google Earth dating back to the early 1990’s, and noted that what today is the pond has sometimes been mostly marshlands with a very small body of water, and at other times a significant portion of this 32.2 acre parcel is covered by water. Mr. Lewis stated that the dams built by the beavers will have a major effect on the overall water coverage on the lot.

Chair Wainwright asked Mr. Lewis the following two questions:

- 1) If you knew today that the ZBA would deny your son’s variance request to subdivide his 5 acre lot into two building lots, would you still be interested in selling this land? Mr. Lewis answered affirmatively, but said that Dennis Spurling, who is half-owner of the parcel, might think differently.

- 2) If you knew today that the sale of this land to the Town would fall through for any reason, would your son still be applying to the ZBA for the variance to subdivide his land into two lots? Mr. Lewis answered affirmatively, and stated that the reason is that, given the current value of house lots in Atkinson, his son should be able to get essentially the same price for the 2-lot subdivision as was offered by the builder who was planning the cluster development, and could just be done with the deal rather than waiting for the approvals that would be needed for a cluster development.

Member Nenart made a motion to authorize Chair Wainwright to proceed with negotiating an Option to Purchase agreement under RSA 36-A:4 for a 32.2-acre parcel known as Map 12 Lot 15-1 in the Atkinson tax assessment records. Member Kimball seconded the motion. Seven members of the Atkinson Conservation Commission present voted in favor. Vote: 7/0/0

Terms and Conditions: Chair Wainwright stated for the record that Mr. Lewis is willing to sell the land to the Town for the tax-assessed value of \$104,000, with \$4,000 of the total put down as a refundable deposit. Chair Wainwright stated that Mr. Lewis is also willing to wait 24 months to close on this deal, which would give the Commission some time to secure grant funding.

Chair Wainwright emphasized that this deal would need to be contingent upon securing grant funding, and also be contingent upon the Board of Selectmen's approval. Chair Wainwright stated that the sellers must demonstrate that have clear title to the land, and stated several times that the land's status as dedicated open space for the Settler's Ridge development must be clearly and completely extinguished before an Option to Purchase agreement could be signed. The reason is that it would be impossible to obtain grant funding to protect the land from development if the land were already protected as part of the Settler's Ridge open space.

Member Legault made a motion to withdraw \$4,000 from the Conservation Fund to use as a refundable down payment on the option to purchase Map 12 Lot 15-1. Member McVay seconded the motion. Seven members of the Atkinson Conservation Commission present voted in favor. Vote: 7/0/0

5) Proposal for Solar Generation on Conservation Land – Michelle Veasey:

Chair Wainwright introduced Michelle Veasey as a member of the Energy Commission, and stated that she approached him about the Energy Commission's plan for getting enough solar generation in town to power all of the town's buildings. In order to get enough solar panels to do this, just placing them on the rooves of town buildings may not be enough, and additional land may be needed for a "solar farm." Ms. Veasey wanted to know if the Conservation Commission would be open to considering placing solar panels on town conservation land.

Ms. Veasey stated that the Energy Commission has been working on the Town's energy efficiency prior to exploring the idea of solar generation. She continued that the Energy Commission has started looking at other ways of reducing the Town's carbon footprint. Ms. Veasey stated that the rebates & incentives of moving towards solar energy are not available to municipalities, so she has been working with a non-profit organization called Clean Energy NH, as well as working with Revision Energy, to move forward on switching over to solar energy in Town.

Ms. Veasey stated that the Kimball Library is interested in putting solar panels on their roof, but the Town would still need up to four acres of land for additional solar panels. She asked if the Conservation Commission would be interested in allowing the Energy Commission to install solar panels on a plot of land between two and four acres; the land would also need to have minimal tree coverage.

Member McVay asked if other Towns have completed projects similar to this one. Ms. Veasey stated that a lot of towns that are currently using solar are towns that have a wastewater treatment plant or a landfill and they've installed the ground-mounted panels in those areas. Member Legault asked if all of the solar panels had to be in the same place, to which Ms. Veasey responded affirmatively. Member McVay asked what sort of impact a ground installation of solar panels would have on wildlife. Ms. Veasey stated that ground installations can be done in tandem with regenerative agriculture which would draw carbon back into the soil and be beneficial instead of detrimental. She continued that the Energy Commission's intention is to disturb as little wildlife as possible if they were to move forward with this project.

Member Legault asked if the area would need a fence surrounding it, to which Ms. Veasey responded affirmatively. Member Nenart stated that a lot of conservation land in Town was donated and may have restrictions in regard to how it may be used, so that should be considered. Member Krause asked how the Energy Commission came up with the four acre size determination. Ms. Veasey stated that Clean Energy NH looked at the Town's energy bills and energy usage to determine the number of solar panels needed. Member Steele stated that this is a great idea but he wonders if the Town owns other land not dedicated for conservation that may be more suitable for this project. Ms. Veasey stated that the Energy Commission has been looking at different parcels for sale in Town and realized that obtaining four-acres would be quite difficult.

To summarize, Chair Wainwright stated that he isn't hearing a resounding yes or no from the members in regard to this project, and asked Ms. Veasey what the next steps would be. Ms. Veasey stated that her first step was to see if the Conservation Commission had any interest in entertaining this project, and if so, to start scouting for usable land. Chair Wainwright stated that he is under the impression that the members of the Commission think that going solar is a good idea but it's not necessarily a good idea to install them on conservation land.

6) Trails and Grants Working Group Report:

- **Merrill Drive trail clearing – coordinate with Scouts – Pete & Bill**

Chair Wainwright asked the Commission if there was any progress on this project. Member Steele stated that the Boy Scouts have a lot of activities going on, so he needs to return to the Troop with some possible dates to complete this project. Chair Wainwright mentioned the snow that is soon to come and asked if clearing this trailhead would still be useful or if it should wait until the spring. Member Steele stated that it's still a good idea to get it done, but with the holidays also approaching it's just difficult to find a free weekend with the Scouts. Chair Wainwright asked Members McVay & Steele to pick a date and let the Commission know so the other members may help if available.

- **Printable Trail Maps – Pete & Dennis**

Chair Wainwright asked the Commission how this project was coming along. Member Krause produced a foldable pocket-sized trail map for the Commission's review, and asked for honest feedback on the wording he chose in each of the sections. The Commission expressed how pleased they were with the draft map produced by Member Krause. Member Krause also asked for the feedback within the next week so he may be able to complete a final proof to be voted on at the next Commission meeting.

7) Brief Reports & Other Business:

a) **Sawyer Invasives Mitigation – Update in herbicide safety?**

Chair Wainwright stated that he is still waiting to hear back from Charlie Moreno in regard to securing bids for this work. Chair Wainwright brought up herbicide safety and asked Member Steele if he was able to find any studies or other reports indicating the hazards associated with various herbicides. Member Steele stated he was not able to secure any concrete studies one way or the other in terms of safety. Member Legault stated that the World Health Organization (WHO) has classified Roundup as a possible carcinogen. Chair Wainwright stated that he is interested in reading the documentation from the WHO, but noted that they also had another study classifying caffeine as a possible carcinogen, so the studies should be read thoroughly. Chair Wainwright stated that the Commission owes it to the Town to do their due diligence and research any herbicide they plan on using. Chair Wainwright stated, finally, that he plans on reaching out to UNH to see if any herbicide experts would be willing to come give a presentation to the Town's residents in the spring.

b) **Land Conservation Plan – nothing new**

Chair Wainwright stated that he is still waiting to see if his moose plate grant has been approved, and stated that he should know by December 6th.

c) January 18, 2020 – Wildlife Tracking – Emma Tutein, UNH Coop. Ext.

Chair Wainwright stated that he saw Emma Tutein at last Saturday's NH ACC Annual Conference, and she is very excited about joining the Commission for it's January walk in the woods. Chair Wainwright reported that he has listed this activity on UNH's web site *Nature Groupie*, and so far 5 people have registered to attend.

d) 3rd Saturday “office hours” November 16 – need a volunteer

Member Steele stated that he will definitely be there this month since he was unable to attend last month.

e) Spring tree give-away – update? – Scott

Member Kukshel stated that there are currently no updates on this project.

f) Foley property line – update? – Denise

Member Legault stated that there are currently no updates on this matter.

g) ATVs on Marshall Land – use critter camera? – Tim

Chair Wainwright asked Alternate Member Dziechowski to work with Member Krause to find a suitable location and to post the critter camera to deter and/or identify the ATV riders on this land.

h) Downed tree on Stickney Road

Chair Wainwright received word that there was a downed tree on Stickney Road, and stated that while investigating the tree he discovered that the builder of a house on Stickney Road has been using a portion of the Stickney Town Forest for parking, materials storage, and a porta potty. A portion of the tax map is attached to these minutes showing the location of the tree and conservation land encroachment. Several photos of the area are included on the map.

Chair Wainwright reached out to the contractor building the home on the property and was told that the previously chained off area will be returned to its natural state with vegetation after the construction of the house is completed. Chair Wainwright asked Member McVay to keep an eye on this since he lives the closest to it. Chair Wainwright also stated that this may be a good location for the unused gate stored at Member Kimball's house.

i) Other business

- New Hampshire Coastal Climate Summit VIII is coming up on Wednesday, December 4th in the Great Bay Discovery Center.

- Discussions need to happen concerning the Forest Maintenance Fund and whether or not a warrant article will be required to withdraw money from it for the invasives mitigation on Sawyer. Alternate Dziechowski will research whether a warrant article is needed.
- Discussion is also needed concerning a few parcels of land which are adjacent to Town Forests which Chair Wainwright believes should be made part of those forests, and wonders whether or not a warrant article will be required to do that. Alternate Dziechowski is researching that as well.
- Chair Wainwright brought up the 2020 Barry Conservation Camp and asked Member Steele to recruit a Boy Scout to attend next summer.
- The Action for Wildlife Survey was sent out to the Commission by Member McVay, and Chair Wainwright encouraged the other members to fill out the survey because it not only helps the NH Cooperative Extension to develop training to meet our needs, but also it helps us to think through the issues surrounding wildlife habitat, and to form ideas about what is important for Atkinson.

8) **Next Meetings:**

The next two regular Conservation Commission meetings will be Mondays December 2, 2019 and January 6, 2020 at 7:00PM.

9) **Save the Date: NH ACC Annual Conference: Saturday, November 7, 2020**

10) **Adjournment:**

Chair Wainwright entertained a motion to adjourn.

Member McVay made a motion to adjourn the November 4, 2019 meeting of the Atkinson Conservation Commission. Member Krause seconded the motion. Seven members of the Atkinson Conservation Commission voted in favor. Vote: 7/0/0.

The meeting adjourned at 8:30 PM.

Respectfully Submitted,

Zachary Gilberti, Recording Clerk

Attachments:

- a) Treasurer's Report
- b) Tax Map showing Steve Lewis' proposed land sale
- c) Tax Map showing the location of the downed tree and encroachment on Stickney Rd.

Town of Atkinson Conservation Commission 2019 Budget Tracking

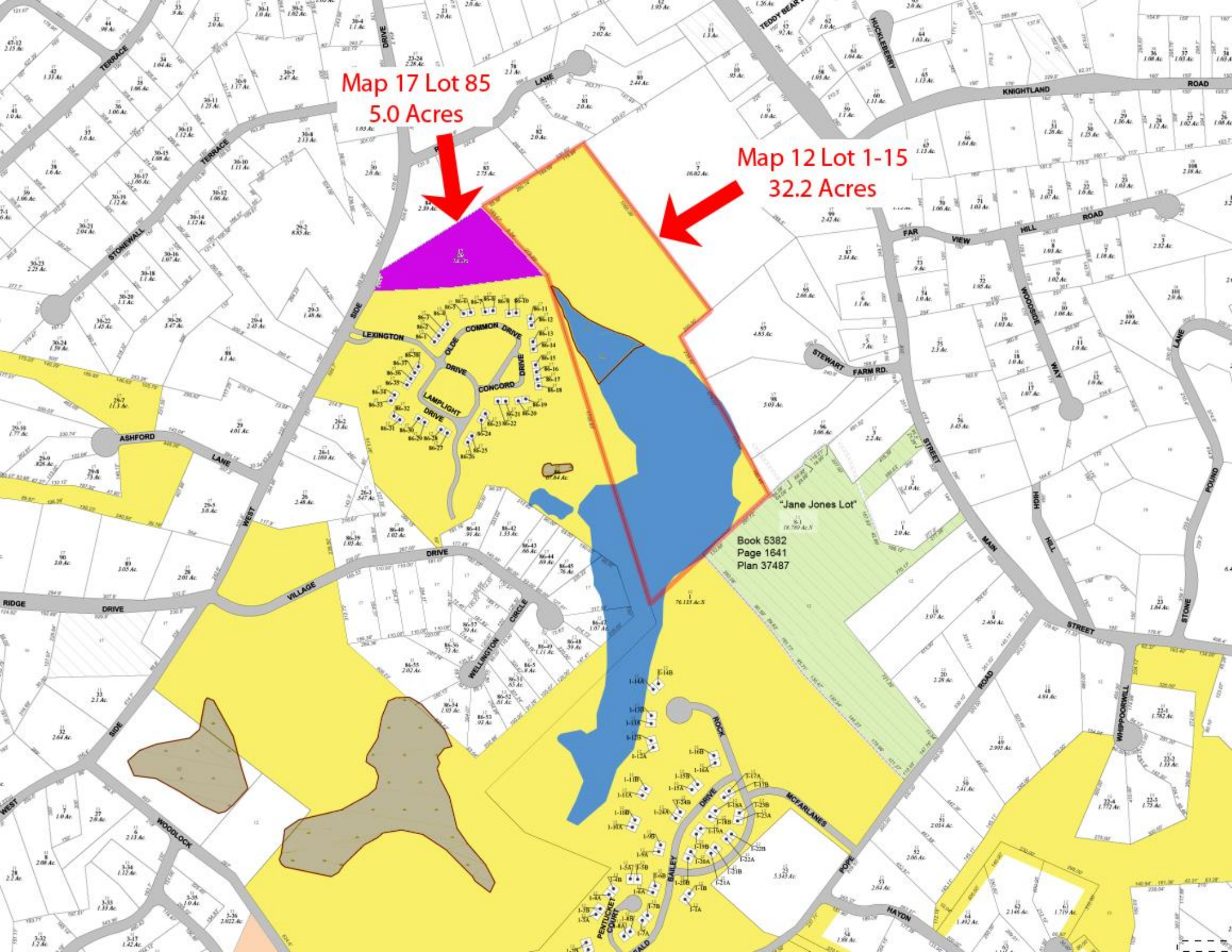
Account Number	Description	TM Approved 2019 Budget	What	Amount	Date Prepared	Date Submitted	Amount Submitted	YTD Total	YTD Unspent
			Minutes: Oct - Dec (est 7h/mo @ 18/hr)	\$378.00					
			Minutes, Dec 2, 2019						
			Minutes, Nov 4, 2019						
			Minutes, Oct 7, 2019 (4 hr @ \$18/hr)	\$72.00	10/15/2019	10/15/2019	\$72.00		
			Minutes, Sep 9, 2019 (5 hr @ \$20/hr)	\$100.00	9/13/2019	9/13/2019	\$100.00		
			Minutes, Aug 5, 2019 (8 hr @ \$20/hr)	\$160.00	8/9/2019	8/9/2019	\$160.00		
			Minutes, Jan 7, 2019	\$82.50	1/14/2019		\$82.50	\$ 414.50	
40.46111.110.00	RECORDING CLERK	\$ 998.00	Budget Adjustment - removed			8/12/2019		\$195.00	\$ 388.50
			Minutes: Oct - Dec (estimate)	\$23.44					
			Minutes, Dec 2, 2019						
			Minutes, Nov 4, 2019						
			Minutes, Oct 7, 2019	\$4.46	10/15/2019	10/15/2019	\$4.46		
			Minutes, Sep 9, 2019	\$6.20	9/13/2019	9/13/2019	\$6.20		
			Minutes, Aug 5, 2019	\$9.92	8/9/2019	8/9/2019	\$9.92	\$ 20.58	
40.45111.220.00	FICA .062	\$ 1.00	Budget Adjustment - added			8/12/2019		(\$44.00)	\$ 24.42
			Minutes: Oct - Dec (estimate)	\$5.48					
			Minutes, Dec 2, 2019						
			Minutes, Nov 4, 2019						
			Minutes, Oct 7, 2019	\$1.04	10/15/2019	10/15/2019	\$1.04		
			Minutes, Sep 9, 2019	\$1.45	9/13/2019	9/13/2019	\$1.45		
			Minutes, Aug 5, 2019	\$2.32	8/9/2019	8/9/2019	\$2.32	\$ 4.81	
40.45111.225.00	Medicare .0145	\$ 1.00	Budget Adjustment - added			8/12/2019		(\$10.00)	\$ 6.19
			Charlie Moreno - Sawyer Invasive Phase 2	\$675.00					
			RPC (Julie LaBranche) Cons Plan - Phase 1	\$750.00	10/2/2019	10/2/2019	\$750.00		
			Charlie Moreno - Sawyer Invasive - Phase 1	\$1,230.75	10/2/2019	10/2/2019	\$1,230.75		
			Minutes, July 1, 2019	\$84.00	7/26/2019	7/26/2019	\$84.00		
			Lavelle - Merrill Drive Survey	\$787.50	7/8/2019	7/8/2019	\$787.50		
			Charlie Moreno - Chadwick inspection	\$450.00	6/20/2019	6/20/2019	\$450.00		
			Minutes, June 3, 2019	\$90.00	6/18/2019	6/18/2019	\$90.00		
			Minutes, May 6, 2019	\$36.00	5/27/2019	5/27/2019	\$36.00		
			Minutes, Apr 1, 2019	\$132.00	4/24/2019	4/26/2019	\$132.00		
			Registry of Deeds (Tim)	\$3.00	3/26/2019	3/26/2019	\$3.00		
			Minutes, Mar 3, 2019	\$120.00	3/26/2019	3/26/2019	\$120.00		
			Minutes, Feb 4, 2019	\$156.00	2/21/2019	2/22/2019	\$156.00	\$ 3,839.25	
40.46111.390.00	OTHER PROF SERVICES	\$ 2,500.00	Budget Adjustment - added			8/12/2019		(\$1,570.00)	\$ 230.75
40.46111.550.00	PRINTING AND BINDING	\$ 1.00	Budget Adjustment					\$ -	\$ 1.00
								\$ -	
			NH ACC Dues (confirmed 10/2)	\$425.00	10/9/2019	10/10/2019	\$425.00		
			NH Ass'n of Natural Resource Scientists	\$20.00	3/26/2019	3/26/2019	\$20.00	\$ 445.00	
40.46111.560.00	DUES/SUBS/MEMBERSHIPS	\$ 400.00	Budget Adjustment - added			8/12/2019		\$ (70.00)	\$ 25.00
40.46111.620.00	OFFICE SUPPLIES	\$ 1.00	Budget Adjustment					\$ -	\$ 1.00
								\$ -	
			Somebody charged postage				\$ 0.71	\$ 0.71	
40.46111.625.00	POSTAGE	\$ 1.00	Budget Adjustment					\$ -	\$ 0.29
			Mowing - Dan	\$850.00	10/7/2019	10/10/2019	\$850.00		
			Supplies for gates - Dan	\$98.94	8/6/2019	8/6/2019	\$98.94		
			Gates and Posts - Dan	\$595.03	5/13/2019	5/13/2019	\$595.03		
			Sign Posts (from late December)	\$37.18	3/26/2019	3/26/2019	\$37.18		
			Registry of Deeds (Tim)- moved to Other Prof. Svcs						
			Terrain Navigator Pro License	\$361.00	3/26/2019	3/26/2019	\$361.00		
			Replacement float for Town Dock, -2%	\$126.89	1/24/2019	1/25/2019	\$124.35		
			Ebner reimbursement: Junction Markers	\$103.68	1/2/2019	1/7/2019	\$103.68	\$ 2,170.18	
40.46111.650.00	CARE OF GROUNDS	\$ 3,000.00	Budget Adjustment - removed			8/12/2019		\$ 729.00	\$ 100.82
			New Critter Camera - Tim	\$77.93	8/6/2019	8/6/2019	\$77.93		
			New Critter Camera - Paul	\$143.65	hold for now				
			Stihl Hedge Trimmer, battery, and charger	\$449.96	hold for now				
			Sum:	\$593.61				\$ 77.93	
40.46111.740.00	NEW EQUIPMENT	\$ 300.00	Budget Adjustment			8/12/2019		\$ -	\$ 222.07
			Meeting w/ Eben Lewis 1/2/19 - 98 mi + \$4	\$60.84	3/26/2019	3/26/2019	\$60.84	\$ 60.84	
40.46111.820.00	MILEAGE	\$ 74.00	Budget Adjustment			8/12/2019	\$ -	\$ -	\$ 13.16
			Eagle Project - Adam Torres	\$87.40	9/10/2019	9/10/2019	\$87.40		
			Barry Conservation Camp	\$315.00	3/26/2019	3/26/2019	\$315.00	\$ 402.40	
40.46111.840.00	SPECIAL PROGRAMS	\$ 1,000.00	Budget Adjustment - removed			8/12/2019		\$ 575.00	\$ 22.60
			NH ACC Annual Conference (4 @ \$60)	\$240.00					
			Bill Steele - NH ACC Conference	\$60.00	10/8/2019	10/11/2019	\$60.00	\$ 60.00	
40.46111.850.00	EDUCATION & CONFERENCES	\$ 250.00	Budget Adjustment			8/12/2019	\$ -	\$ -	\$ 190.00
			Conservation Easement Boundary Markers	\$304.77	1/28/2019	1/29/2019	\$304.77	\$ 304.77	
40.46111.875.00	SIGNS	\$ 500.00	Budget Adjustment - removed			8/12/2019		\$ 195.00	\$ 0.23
			TOTALS					\$ 7,800.98	\$ 1,226.02

Committed but not paid: \$1,915.53

\$ (689.51)

Map 17 Lot 85
5.0 Acres

Map 12 Lot 1-15
32.2 Acres





Canoe/Kayak dock

Downed Tree

