

**Atkinson Conservation Commission Minutes**  
**Monday, November 5, 2018**  
**Atkinson Town Hall**

Approved 12/3/2018

**Members Present:**

Paul Wainwright, Chair  
Denise Legault, Vice Chair  
Dan Kimball  
Scott Kukshel  
Jeff Nenart, Alternate  
Peter Bradshaw, Alternate

**Others Present:**

Ken Grant  
Eddie Grant

**1) Call to order, attendance**

Chair Wainwright called the meeting to order at 7:35 PM, Monday, November 5, 2018. In attendance were Chair Wainwright, Vice Chair Denise Legault, Dan Kimball, Scott Kukshel, Alternate Peter Bradshaw (voting) and Alternate Jeff Nenart (voting).

Chair Wainwright passed around a sign-in sheet for members and guests.

**2) Review and approval of minutes: October 1, 2018 and October 24, 2018**

The minutes from October 1, 2018, were reviewed. Chair Wainwright requested a motion to approve the minutes of the October 1, 2018 public meeting of the Atkinson Conservation Commission, as amended.

**Vice Chair Legault made a motion to approve the minutes of the October 1, 2018 public session of the Atkinson Conservation Commission as amended. Alternate Nenart seconded the motion. All members of the Atkinson Conservation Commission present at the October 1, 2018 meeting voted in favor. Vote: 6/0/0.**

The minutes from October 24, 2018, were reviewed. Chair Wainwright requested a motion to approve the minutes of the October 24, 2018 special meeting of the Atkinson Conservation Commission, as written.

**Member Kimball made a motion to approve the minutes of the October 24, 2018 special meeting minutes of the Atkinson Conservation Commission as written. Vice Chair Legault seconded the motion. The Atkinson Conservation Commission voted three in favor and three abstaining with members present, Member Kimball, Vice Chair Legault and Chair Wainwright who were present at the site walk voting in favor. Vote: 3/0/3.**

### **3) Woodlock Park proposed timber cut – Ted Stewart:**

Mr. Stewart was not present. Chair Wainwright informed the Commission that the recreation committee would like to put in another soccer practice field. Chair Wainwright distributed the attached map showing the approximate location of the proposed practice field. Chair Wainwright polled the Conservation Commission regarding a timber cut on the Chadwick Town Forest, which is adjacent to the proposed recreation field. The Conservation Commission discussed whether the forest was sustainable without a selective cut, and whether it would be profitable. Member Kimball stated that he could take a look. Chair Wainwright suggested that he, Member Kimball and Charlie Moreno, the Consulting Forester, could go to see if a selective cut would be feasible.

Chair Wainwright stated that, in his opinion, a Recreation budget for planning, pulling stumps, grading and seeding would be needed. Chair Wainwright suggested the Recreation Director submit for a warrant article for the next Town Meeting for the planning activities, and then hire someone to do the cut next year. If a selective cut on Chadwick were done in conjunction with the Recreation land clearing, it would be in January 2020.

The Conservation Commission agreed that Chair Wainwright ask Mr. Moreno to go on a site walk with Chair Wainwright and Member Kimball regarding a selective cut of the Chadwick Town Forest.

### **4) Kutzelman conservation easement review and approval:**

George and Lyn Kutzelman have donated a conservation easement on Map 9, Lot 40. They have signed the deed and the Selectmen have voted to accept. The final step would be for the Conservation Commission to accept it and sign the deed.

The Kutzelmans are moving, and the house on Map 9, Lot 38 has been sold. The conservation easement on Map 9 Lot 40 must be in place and recorded before that lot is sold.

Chair Wainwright requested a motion to accept the gift of a Conservation Easement on Map 9 Lot 40 from George and Lin Kutzelman. Member Kimball abstained because he is an abutter.

**Member Nenart made a motion to accept the gift of a Conservation Easement on Map 9, Lot 40 from George and Lyn Kutzelman, and to authorize the Chair to sign the easement deed on behalf of the Town of Atkinson Conservation Commission, and to send a letter of thanks to the Kutzelmans for their very generous gift to the current and future citizens of the Town of Atkinson. Alternate Bradshaw seconded the motion.**

Discussion: Chair Wainwright mailed copies of the proposed easement to the Conservation Commission members before the meeting. Chair Wainwright explained that the proposed easement is fairly restrictive.

**The Atkinson Conservation Commission voted in five in favor and one abstaining with Member Kimball abstaining. Vote: 5/0/1.**

**5) Treasurer's report and 2019 budget:**

Chair Wainwright distributed the attached Treasurer's Report. Chair Wainwright estimates \$75 per meeting for the recording clerk. Chair Wainwright is waiting for a bill from Lavelle Associates for lot consolidation work on the Town's property at the end of Industrial Way, and is not sure if the amount will be over \$350. Dues subscriptions and memberships is another item yet to be paid. The dues for the New Hampshire Association of Conservation Commissions has already been billed at \$425. In the past, the dues have been paid in the following year but Chair Wainwright would like to pay them this year. The mowing item is still at \$900. The next issue is dock repairs. The Road Agent will install the floats. Chair Wainwright is waiting to see how much money is left over in this year's budget. \$500 is needed to replace the pole saw. Education and Conferences has also not been paid. The \$60 for Chair Wainwright to attend has not been submitted. Travel costs and the cost of new handbooks are also included in the line and have not yet been submitted. Chair Wainwright is also purchasing posts and post holders for signs.

Chair Wainwright estimates that there will be \$467 left over to spend on dock parts and wood for signs.

**6) Multi-Town Conservation News – Brent Ebner: not present**

Chair Wainwright and alternate Nenart had lunch at last Saturday's NHACC conference with two members of the Hampstead Conservation Commission.

**7) GPS trail mapping progress report - Peter:**

Alternate Bradshaw has gone to Sawmill, Woodlock and Sawyer Town Forests and recorded the trails. The trails in Orr Town Forest can no longer be found because of the selective cut that was done several years ago. Chair Wainwright stated that the Conservation Commission would have to re-blaze the Orr Town Forest trails, probably next spring. Alternate Bradshaw stated that he might be able to overlay the GPS tracks for the trails on existing digital street maps. Chair Wainwright suggested that they be put up on the Conservation Commission website. There is also a nice trail on the Stickney Land and on the Marshall land by Boulder Cove.

**8) Brief Reports & Other Business:**

**a) NHACC Annual Conference report – Paul & Jeff**

Alternate Nenart commented that the biggest thing he learned at the NHACC annual conference is that there is a web site called [granitview.unh.edu](http://granitview.unh.edu) that might be useful for the Commission. It gives maps of all the different types of land in the Town. It was updated last in 2015. Member Kukshel informed the Commission that the site is pretty accurate.

Chair Wainwright attended some workshops on grant writing. Chair Wainwright purchased 3 copies of the NH Handbook for Conservation Commissions for members of the Commission.

**b) Field mowing report - Dan**

Member Kimball got the mower back last week and finished Sawyer – Bonin field and had to get the steering on the mower repaired. There are still some trees that need to be cut. A big stick went through the grill. There are also some trees that need to be cut along the road.

Member Kimball has checked the Orr Field and there are some deadfalls that need to be removed. He got a new grapple for the tractor so he can pick them up and lug them off. He also measured a spot for a gate. Mowing should cost around \$300 per field.

Member Kimball will attempt to mow the 4H field if he has time. It is as bad as the Bonin field. Chair Wainwright will need invoices by the end of November.

**c) Page Farm update: Prime Wetland boundary**

Chair Wainwright stated that the boundaries used by the developer, Green and Company, were from the 2002 Prime Wetlands study which clearly states that the maps and data should not be used for anything except the prime wetlands study. He had several emails with Evan Lewis at NH DES, and Mr. Lewis agrees that the boundary of the prime wetland is the first upland boundary. The State has informed the developer that they have to survey the upland boundary and include it in their plans.

**d) Page Farm update: Large Groundwater Withdrawal Permit**

Chair Wainwright wrote a letter (see attached) expressing concern about the long-term health of the West Sawmill Swamp Prime Wetland. Chair Wainwright received a call from Karen Steele, an activist on groundwater. There is a meeting at the Kimball Library on Wednesday, November 7, 2018 at 6:00 PM regarding who owns the water. Chair Wainwright believes that the State has control over groundwater. The Conservation Commission has no legal standing.

**e) Dock repairs**

Chair Wainwright will buy the parts and the Road Agent will repair the dock.

**f) Web site content ideas**

Vice Chair Legault has submitted some ideas.

**g) Atkinson Conservation Facebook public group**

Approximately 105 people have signed up for the commission's Facebook Group.

## **h) Other updates**

Chair Wainwright informed the Commission that there is a Flood Plain Administrator training workshop if any members would like to attend.

## **i) Eagle Scout and Barry Conservation Camp updates**

Chair Wainwright will speak with Mark about Scout liaison issues.

## **9) Ruth McPherson Conservation Trust Update – Ken Grant:**

Ken Grant, Carol Grant's husband, appeared before the Commission. Mrs. Grant passed away, and Mr. Grant is the executor of her estate. One issue he is addressing is the Ruth McPherson Conservation Trust. Mrs. Grant was the sole Trustee. Mr. Grant is looking for a Trustee. Mr. Grant reported that "unfortunately it has gone in other directions." Mr. Grant reported that the Director of the Charitable Trusts division of NH DOJ has gotten involved. The issue, to Mr. Grant, is that a Successor Trustee should be appointed. It is currently in the Court system. Mr. Grant stated that his objective is "not to let it get involved in the Town." He feels that to make it Town money, it would be a taking of a private trust. Mr. Grant stated that, in his opinion, a Trustee should be appointed, and if the Town benefits it will be up to the Successor Trustee.

## **Next Meeting: Monday, December 3 (Paul away)**

Vice Chair Legault will act as Chair for the December meeting.

## **10) Adjournment**

Chair Wainwright requested a motion to adjourn.

**Member Kukshel made a motion to adjourn the November 5, 2018 public meeting of the Atkinson Conservation Commission at 8:24 PM. Vice Chair Legault seconded the motion. All members of the Atkinson Conservation Commission present voted in favor. Vote: 6/0/0.**

## **Attachments:**

- Map showing proposed new soccer field at the Woodlock Recreational Area
- Treasurer's Report
- Letter to NH DES about the Page Farm Large Groundwater Withdrawal permit

**Brush Dump**



Woodlock Park Ln



**Proposed athletic field**

**Chadwick Town Forest**



**Town of Atkinson Conservation Commission 2018 Budget Tracking and 2019 Projection**

Account number	Description	Available as of 10/1/2018	Spent as of 9/1/2018	Spent Since 9/1	YTD 2018	estimate Yet to go	Unspent in 2018	Spent in 2018	Proposed 2019
40.46111.110.00	RECORDING CLERK	\$ 1,010.00	\$ 630.00	\$ 52.50 75.00	\$ 757.50	Karen: Nov - Dec estimate \$ 150.00	\$ 102.50	\$ 907.50	\$ 1,000.00
40.46111.390.00	OTHER PROF SERVICES	\$ 2,500.00	\$ 600.00	\$ 1,550.00	\$ 2,150.00	Lavelle - lot consolidation estimate \$ 350.00	\$ -	\$ 2,500.00	\$ 2,500.00
40.46111.550.00	PRINTING AND BINDING	\$ -	\$ -		\$ -		\$ -	\$ -	\$ 1.00
40.46111.560.00	DUES/SUBS/MEMBERSHIPS	\$ 400.00	\$ 363.00		\$ 363.00	NH Ass'n of CC 2019 dues actual \$ 425.00	\$ (388.00)	\$ 788.00	\$ 400.00
40.46111.620.00	OFFICE SUPPLIES	\$ 120.00	\$ 59.00	\$ 59.00	\$ 118.00		\$ 2.00	\$ 118.00	\$ 1.00
40.46111.625.00	POSTAGE	\$ 1.00	\$ -		\$ -		\$ 1.00	\$ -	\$ 1.00
40.46111.650.00	CARE OF GROUNDS	\$ 3,055.00	\$ 438.94	\$ 121.22 1,510.00	\$ 2,070.16	Mowing Dock Repair Parts \$ 900.00 \$ -	\$ 84.84	\$ 2,970.16	\$ 3,000.00
40.46111.740.00	NEW EQUIPMENT	\$ 1,000.00	\$ 489.98		\$ 489.98	New Pole Saw (Dan) estimate \$ 500.00	\$ 10.02	\$ 989.98	\$ 300.00
40.46111.820.00	MILEAGE	\$ 1.00	\$ -				\$ 1.00	\$ -	\$ 74.00
40.46111.840.00	SPECIAL PROGRAMS	\$ 500.00	\$ -			Eagle Scout Project \$ -	\$ 500.00	\$ -	\$ 1,000.00
40.46111.850.00	EDUCATION & CONFERENCES	\$ 240.00	\$ -	\$ 60.00		Mileage t/f Pembroke Nov. 3 in Pembroke \$ 60.00 \$ 60.00	\$ 120.00	\$ 120.00	\$ 250.00
40.46111.875.00	SIGNS	\$ 1,100.00	\$ -	\$ 310.00 29.19 257.50 110.00 358.97	\$ 1,065.66	Wood for signs Home Depot - sign brackets Home Depot - sign brackets \$ 9.30 \$ 9.30	\$ 34.34	\$ 1,065.66	\$ 500.00
<b>TOTALS</b>		<b>\$ 9,927.00</b>	<b>\$ 2,580.92</b>	<b>\$ 4,440.88</b>	<b>\$ 7,014.30</b>	<b>\$ 2,445.00</b>	<b>\$ 467.70</b>	<b>\$ 9,459.30</b>	<b>\$ 9,027.00</b>

**TOWN OF ATKINSON CONSERVATION COMMISSION**  
**21 Academy Avenue**  
**Atkinson, New Hampshire 03811**

October 12, 2018

Andrew Koff, P.G.  
Drinking Water and Groundwater Bureau  
NH Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302

Re: Large Groundwater Withdrawal Permit for the Page Farm Development

Dear Andrew –

This letter is a follow-up to our brief conversation at the Public Hearing on September 26, 2018, in which I expressed concern about the long-term effects on the wetlands in the area, especially the West Sawmill Swamp, which is one of the town's eight Prime Wetlands, and which abuts the project.

While the study that was presented was well done, it was, nevertheless, only a 7-day analysis of the impact of the groundwater levels in nearby wells. It did not address the long-term impact of groundwater quality in the area, and it did not address the long-term effects on nearby wetlands. Since wetlands are not tightly coupled to the levels of groundwater, it is not surprising that a 7-day study showed no impact on them.

The Atkinson Conservation Commission would like to ask for help from NH DES and the owner of the well to identify and implement monitoring procedures to assess the long-term health of the West Sawmill Swamp Prime Wetland, and to recommend mitigation options should they become necessary.

Please do not hesitate to contact me if you would like further discussion.

Sincerely,



**Paul Wainwright, Chair, Atkinson Conservation Commission**  
(603) 362-6589, [conservation@atkinson-nh.gov](mailto:conservation@atkinson-nh.gov)

Copy to : Eben M. Lewis, NH DES Wetlands Inspector  
Alan Phair, Atkinson Town Administrator