

**PEMBROKE CONSERVATION COMMISSION (CC) MEETING
Draft Minutes of January 14, 2008**

Attendance

Present

Members: Lea Anne Atwell, Secretary; Carol Bertsimas, Vice-Chair; Ammy Heiser, Chair; Stetson Heiser, Kevin Krebs, Planning Board (PB) Representative; Brian Tufts, Board of Selectmen (BOS) Representative; and Ayn Whytemare.

Alternate Members: Jeff Abbe

Not Present

Members: Kevin Gagne

Alternate Members: David Baril

1. Call to Order – The meeting was called to order by Ammy at 7:03 pm. Jeff will vote for Kevin.

2. Meeting with BOS on Dec. 19, 2007

i. Formal acceptance of donations in memory of Carol Maslanka

ii. Warrant Article at Town Meeting regarding code changes: The CC has a Warrant Article on the Town Meeting ballot that, if passed, would repeal the current Chapter 66 (Conservation Land) of the Town's General Ordinance. Chapter 66, which established the CC, was originally adopted in 1966 and contains provisions regarding land uses on conservation lands, in particular White Sands. Some of the provisions allow uses such as camping and fires on CC lands with a permit, which are in conflict with the CC Land Use Policy (adopted in 2007). The proposed warrant article would establish a new Chapter 66 and adopt the provisions of RSA 36-A.

The CC discussed how to get the word out about the Warrant Article, including setting up a display and handing out flyers on March 11 (Ballot day), as well as at Town Meeting. In addition, the CC could also have information about our land drive available.

ACTION ITEM: We should add Town Meeting / Ballot Day preparations to the agenda for our next meeting.

iii. Soucook River property: The CC discussed two potential conservation properties along the Soucook River and rated them according to the Land Protection Criteria, both individually, and together. The rating sheets are included with the CC files for these properties.

- a. Ritchie White Parcel: CC members had walked this property with the owner. This piece is 45 acres along Soucook River and has no access and received a total of 15 out of 30 points according to the CC's Land Protection Criteria.

- b. Peter Spiewack owns an abutting piece, with no river frontage, and received a score of 12 out of 30. He would need to go to the PB with a plan to subdivide the property, and only a portion of the property would be available as potential conservation land.
- c. Both pieces together would be 80 contiguous acres and received a score of 19 out of 30.

The CC discussed the potential price of both properties, and the fact that the two properties combined fit our criteria. The CC decided to move ahead with negotiations with the property owners. The Spiewacks will have a conceptual plan for the CC to review.

The BOS wants a vote a Town Meeting to accept any new conservation land. A Warrant Article for this year's Town Meeting would give the BOS permission to accept land that the CC wants to buy. Ideally, we would have a purchase and sales (P&S) agreement for the Town Meeting vote. Otherwise, we would have to wait another year for a Town Meeting vote. Ammy talked to Geoff Ruggles about making the Warrant Article more general, so that it would also cover the Spiewack property.

The next step is to put together purchase and sale agreements for each of the properties. CC has the authority to do this. The CC should expend money from the Conservation Fund to have counsel draft a P&S, while coordinating with Geoff Ruggles. Ammy will call Mr. White and Mr. Spiewack to request what they want from the P&S. The Heisers will be gone until the middle of February, and Carol will be the liaison until they return.

The CC will have two meetings in February – the 11th and the 25th.

Stetson made a motion for the CC to continue with negotiations and work with legal counsel to get advice in putting together a P&S. Carol seconded. Seven in favor. None opposed.

Discussion took place about potentially having an outside entity to a hold conservation easement. Concern was raised as to who would have control over the uses of the property. We discussed having someone from a land trust, such as Five Rivers come in and talk to the CC and the BOS.

3. Current Conservation Land

i. Ames Brook Follow-Up: The BOS did not agree to record the deed for this property. Ammy talked to Dennis Aubin, the developer. He said they left ample allowances for road, well, etc. He felt like he did what the CC asked of him. The CC would need to pay for anything associated with not recording the deed now (e.g., removing and later replacing conservation signs and completing a new baseline assessment). The CC discussed going back to the BOS and ask them to record the deed. The current vote was a tie, which is a denial. We should approach the BOS with the attitude that this case would be an exception and that moving forward, we would not accept easements prior to completion of construction. We should bring in map to show the BOS that the Town would still have access to the property.

ACTION ITEM: Ammy will call Geoff to get on the BOS agenda for Feb 20th.

Ayn made a motion to go back to the BOS to ask them to reconsider recording the deed for the Ames Brook Easement. Carol seconded. Six in favor, none opposed, one abstained.

ii. White Sands update: Ammy gave Geoff the contact info for PSNH, since Laura has been unable to contact them. Kevin works for PSNH, and he will also try to contact the appropriate person.

iii. Scripture update: Ammy has been in contact with Joe Tyler. He will write up a management plan and is planning to present it to CC when it is completed.

iv. Tree removal on Beck property: Jeff removed the tree, and apparently the neighbor was not happy.

4. Review and Adopt minutes – December 10, 2007: There were some minor changes to the minutes. Stetson made a motion to accept them with revisions. Carol seconded. Five in favor, two abstained.

5. Housekeeping

i. Vote on A.B. Heiser, LLC subdivision: Ammy, Stetson, and Kevin recused themselves from the discussion. At our November 19, 2007 meeting, the CC discussed the A.B. Heiser subdivision application. The CC reviewed the application and submitted comments to the PB, but did not take a vote on our review of the application. Setbacks from wetlands seem adequate. We should add that CC has been working with land owners regarding potential conservation ownership.

Ayn made a motion to approve what was submitted to PB on 11/19 and that we send a notice to PB that we are in discussion with owners about additional land for conservation. Carol seconded. Four in favor, none opposed, three abstained. We gave our revisions to Kevin to submit to the PB.

ii. Proper recording of votes in minutes: The number of votes in favor, opposed, and abstained should be recorded, instead of “all in favor.”

iii. 2007 Annual Report Submission: Ayn wrote an article, which Jeff revised.

iv. UNH CEOP: Ayn provided an update on the UNH CEOP proposal. The CC submitted a proposal for UNH CEOP to develop a user-friendly GIS system. It would good for PB members to be in on initial meeting with students, once this gets going next year (assuming our proposal is accepted).

6. Miscellaneous and Correspondences: Flyers regarding various meetings. One from PSNH regarding a wetland permits approved by NHDES that affects a property in Pembroke. Ammy will give to Geoff.

7. Adjournment: Lea Anne made a motion to adjourn. Stetson seconded. Six in favor (Ayn left at 9 pm). The meeting was adjourned at 9:19 pm.

Respectfully submitted by Lea Anne Atwell, CC Secretary.