

PEMBROKE CONSERVATION COMMISSION (CC) MEETING
Approved Minutes of May 12, 2008

Attendance

Present

Members: Lea Anne Atwell, Secretary; Carol Bertsimas, Vice-Chair; Ammy Heiser, Chair; Stetson Heiser; David Sheldon, Board of Selectmen (BOS) Representative

Alternates: Jeff Abbe

Not Present

Members: Kevin Gagne; Kevin Krebs, Planning Board (PB) Representative; Ayn Whytemare

1. **Call to Order** – Ammy called the meeting to order at 7:04pm. Jeff will vote for Ayn.
2. **LTC Dredge and Fill Application Presentation** – This presentation has been postponed until our June 9th meeting.
3. **Review and Adopt minutes ~ April 14, 2008 and Site walk on April 21, 2008** – Two edits to the April 14, 2008 minutes were discussed: 1) language regarding removal of the tree on the Beck property was a little unclear and should be revised; 2) David Baril is on leave of absence from being an alternate member, and his name should be removed from the attendance list. Carol made a motion to accept the April 14, 2008 minutes with the discussed changes. Stetson seconded. Five in favor. Motion carries.

Stetson made a motion to accept the April 21, 2008 site walk minutes as written. Carol seconded. Five in favor. Motion carries.

4. Conservation Land Business

a. Monitoring Update – The Heisers are finishing monitoring for the Schuett and AGNE properties; however, they need the GPS unit to be able to complete the AGNE monitoring. Kevin is working on monitoring for the Brittany and Gamlin properties. David Baril was going to monitor the Richard property; however, since he is no longer an alternate, Jeff will do the monitoring instead. **ACTION ITEM:** Ammy will pull the paperwork for the Richard property for Jeff. **ACTION ITEM:** Kevin Gagne is working to be set a schedule for this year's monitoring. We will discuss the schedule at our next meeting.

b. Belfry Court – This property is located across Church Road from the Kennington and Taylor easements. Laura Scott had found the paperwork for this property in the conservation files before she left. Ammy has looked through all of our files as well and can't find evidence that the easement was ever actually recorded. The easement was originally created in 1988 for spotted turtle habitat. **ACTION ITEM:** Stetson will go to the registry of deeds to see if the deed was recorded. If we can't find any record of the deed, we may need to do a title search.

c. Schuett tree – Kevin was coordinating this effort and is not here to give an update. We will discuss at our June meeting.

d. Beck – Mr. Kelloway called regarding the CC's position on clearing conservation land

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and indicated that the Farnums have been clearing the conservation land that abuts their property. **ACTION ITEM:** Jeff will stop by and check to see if there is clearing going on. **ACTION ITEM:** Ammy will call Mr. Kelloway to explain our policy. No clearing was observed during our monitoring this year, and we will check to make sure it is not taking place during our annual monitoring this year. David asked about wetlands on the Beck property, as that is a piece that the Recreation Committee was considering for use as soccer fields. **ACTION ITEM:** Ammy will pull the files for the property and bring them to our next meeting.

e. Ames Brook – The easement was officially recorded on March 6, 2008.

f. White Sands – Geoff Ruggles has been in touch with PSNH. No permit is needed to put up the gate. He is working with the town to move large boulders down to the new parking area and adjust the landscaping. Geoff will coordinate the effort and keep the CC informed. Lea Anne raised concern as to whether placing gravel and creating the new parking area would come fall under the revised Shoreland Protection rules and may require a permit. **ACTION ITEM:** Ammy will discuss with Geoff, and let Lea Anne know if it is okay to call NH Department of Environmental Services (DES) to inquire about a permit. **ACTION ITEM:** Lea Anne will call DES for more information if appropriate.

Discussion took place about doing a litter clean-up / monitoring for White Sands. David recommended contacting the high school for volunteers. The clean-up will be Saturday May 31, 2008 at 9 am. **ACTION ITEM:** Carol will contact the high school and coordinate the clean-up.

5. Land Acquisition Update

a. BOS answers to Purchase and Easement questions – Tina Courtemanche sent an email to CC members regarding the BOS' response to questions we had asked of her during our last meeting.

1) Do easements need to have public access? The BOS indicated that all easements should have public access. Discussion took place about the fact that we already have some easements that do NOT have public access (e.g., AGNE); however, these easements were donated. The thought from the BOS was that if we are purchasing an easement, the property should be open to the public. David will clarify whether the BOS will accept easements as *gifts* going forward that do not have public access.

2) We had asked if the BOS would now accept conservation property that had been purchased after the appropriate public hearings, but *without* an approval at Town Meeting in March. The BOS responded that we still need approval from Town Meeting in March.

b. Ayn's letter – Ayn had sent a letter to a landowner regarding potential purchase of a conservation easement, but hasn't heard back from her.

c. Other responses from our mailing – Stetson is talking with two property owners regarding potential purchase. **ACTION ITEM:** Stetson will schedule a site walk of one of the properties and coordinate over email.

6. Amoskeag Rowing Club Site Walk and DES Letter – Since the site walk on April 21, the CC received a copy of a letter from NHDES regarding the dredge and fill permit application; however, the letter was sent April 7, 2008. The application was rejected by DES. DES is requiring a replanting plan for the woodland buffer, a plan for erosion control, certification from a wetlands scientist regarding disturbances to the wetlands on the property, and an alteration of terrain permit. The club also apparently had a prior wetlands violation from 2001 for which they

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need to do a remediation plan. The club has 120 days to respond. The CC does not need to comment at this time. During our site walk, it was observed that most of the property (exclusive of the banks) had been cleared of underbrush.

7. Shoreland Protection Act Changes – Lea Anne gave an overview of the changes to the Shoreland Protection Act. Some changes went into effect starting April 1, 2008; others will go into effect starting July 1, 2008. The regulations cover everything 250 feet back from the “reference line” or high water mark along specified streams, lakes, ponds, and marine water bodies. Key considerations include limitations to fertilizer use; tree-cutting, groundcover cutting, and rock removal; and the amount of impervious surface area. Permits are required for certain excavation and construction activities. Alteration of terrain permits are required if 50,000 square feet or more are being disturbed (previously, this was required only if 100,000 square feet or more were disturbed).

8. Correspondences and Miscellaneous –

a. Material for Notebook – An updated member list was provided in our packets.

b. Membership and Dues - Our memberships need to be renewed for two associations, both of which will be valuable resources in our efforts to obtain conservation land. Stetson made a motion to spend \$250 from our budget for dues to renew our membership for the New Hampshire Association of Conservation Commissions. Carol seconded. Five in favor. The motion carries. Lea Anne made a motion to spend \$50 from our budget for dues to the Society for the Protection of New Hampshire Forests (SPNF). Stetson seconded. Five in favor. Motion carries. **ACTION ITEM:** Ammy will coordinate getting checks for both memberships.

c. Hud 202: Pembroke Elderly Housing Project letter – Stephanie Alexander, the interim Town Planner, sent an email regarding our comments to the conceptual plan submitted to the PB, as well as comments from the Town Engineer. **ACTION ITEM:** Lea Anne will attend the May 27, 2008 PB meeting where the applicant will be giving a presentation.

9. Adjournment – Lea Anne made a motion to adjourn the meeting. Carol seconded it. The meeting was adjourned at 8:40 pm.