

PEMBROKE CONSERVATION COMMISSION MEETING
Approved Minutes of June 11, 2007

Attendance

Members: Lea Anne Atwell, Secretary; Carol Bertsimas, Vic-Chair; Kevin Gagne, Ammy Heiser, Chair; Stetson Heiser, Todd Terrien, Planning Board Representative; Brian Tufts, BOS Representative; and Ayn Whytemare.

Alternate Members: Jeff Abbe and David Baril

Other: Laura Scott, Planning Director

1. Call to Order: The meeting was called to order by Ammy Heiser at 7:02 pm.

2. Public Hearing Cont. – Public Use Policy for Town-Managed Conservation Lands

A public hearing was continued from the May 7, 2007 for a proposed policy to manage town-owned land under the purview of the CC and town-managed conservation lands. Laura discussed purpose and changes of the policy and explained each of the sections in the policy. Hunting, nature study, observation, etc. have been added to generally allowed uses and activities. These activities were previously listed as prohibited in the last draft of the policy discussed at the May 7th meeting. The CC does reserve the right to make changes to list of allowed activities. Language should be added to page 1, under “Authority,” item 3, the phrase “if available” should be added after management studies.

Ammy opened hearing up to the public at 7:09 pm.

Tom Petit, Main Street. Mr. Petit appreciates the rewrite with regards to hunting, which was an issue last time.

Vincent Greco, Pembroke Street. Mr. Greco indicated that all of the concerns that he voiced last time have been answered. He suggested possibly adding an exception for camp fires if we were going to allow the Boy Scouts to camp on conservation property.

Harold Thompson expressed concern over the language on page 1, under Authority #1. He asked if the CC could close the land for any uses for public safety or protection of lands. The CC indicated yes, for example in the case of fire danger or to protect migration of sensitive species. The language was meant to protect lands and just gives CC authority in extreme cases as necessary; however, the CC would first need to have a public hearing. Laura pointed out that there is always the option to appeal a CC decision, as specified in the policy.

CC members indicated that we tried to take the comments from the last public hearing to heart, and place our personal opinions aside to listen to what the people had to say. The language on page 1 was not meant to be misleading or an underhanded way of providing a loophole to the issue of hunting, etc.

Mark Dumas – Beacon Hill Road. Mr. Dumas indicated that the sentiments of the CC are being recorded in the minutes.

Ron Clouser – Beacon Hill Road. Mr. Clouser expressed his opinion that hunters are usually very responsible.

Tom Petit, Main Street. Mr. Petit expressed concern over inconsistencies in the language for the appeal process in this draft policy versus the language in the Town Ordinance authorizing the CC (66-8). The proposed draft policy indicates more time to make an appeal.

Laura suggested that the appeal process for public use of conservation lands would fall under this policy, not the ordinance. The CC has the authority to set these types of policies for the CC.

Tom indicated that the appeals process outline in 66-8 applies to any decision that the CC makes. Why put an appeals process in place, when there is already one in place? The statement “The decision of the Board of Selectmen shall be final” is in the language of the ordinance. His opinion is that the language should be consistent and that only the Town has the right to decide matters such as this one and that the CC would be creating something that the Town can’t vote on.

Laura indicated that there were problems with the language in the ordinance, specifically, that there is only a 5 day window to appeal any decisions made by the CC. This language should be revised at Town Meeting.

Brian suggested changing the language of this policy to be in accordance with 66-8.

The public hearing was closed at 7:35 pm.

The CC discussed additional changes to the policy:

- On Page 1, number 3, “if available” should be added.
- The CC discussed the difference in language for the appeals process and decided to make the language for our policy consistent with the ordinance. If the language is changed at Town Meeting, we will have to change the language of this policy.
- The issue of permitting camp fires was discussed. Brian indicated that you would need a fire permit anyway. Ayn indicated not to assume that you need a fire when camping. The CC decided to add fire up to “possible allowed uses and activities” and add “with appropriate fire permits.”

Ammy made a motion to adopt the policy as amended above. Ayn seconded. All in favor.

3. Third Range Road Class VI to Class V Public Hearing

There was some miscommunication about this agenda item. The CC is not holding a public hearing on this issue, rather we will be talking about the upcoming public hearing that the BOS is having on the matter. This agenda item is just to inform the CC that the BOS is having a Site walk and public hearing Wed. June 27, 2007 starting at 6 pm. Laura apologized for any inconvenience this may have caused.

Ammy sent a letter to the BOS based on our discussion from last meeting outlining the comments we had come up with as a CC. Ammy provided copies of the letter. The CC received notification because the Bragfield property is an abutter.

The Site walk will occur, the public hearing will take place the Town Hall. Carol and Kevin can be at the meeting, and Ayn will try to be there. **ACTION ITEM:** Laura will send email to the CC to verify who will be attending.

Ayn made a motion to authorize Carol to speak on behalf of CC at the June 27, 2007 meeting as the abutter. Stetson seconded. All in favor (minus Todd).

4. May 19th and May 21st, 2007 Minutes Review and Approval

From the May 21, 2007 minutes – Horseback riding went from allowed to possible uses for the Ames easement. A Planning Board member had wanted to make that change. We should review the Ames easement at our next meeting. The easement will be on the agenda for the Planning Board for their Jun 26th meeting, and someone should plan on attending the meeting. We could make recommended changes.

Stetson motion to accept both sets of minutes as amended. Kevin seconded. No changes noted. All in favor.

5. Conservation Land

a. White Sands –

i. Clean-up follow-up: The clean-up took place last Sunday, June 3rd, 2007. Several CC members and other people from other states attended. Trash hauled out included 2 air conditioning units, tires, 12 bags of garbage, 1 washing machine, vinyl siding, roofing, etc. Carol suggested that we should include this information when we communicate why the road is being blocked off. .

ii. Monitoring Report: Ammy, Stetson, Kevin, and Jeff did monitoring at the same time as the clean-up. Infractions have been resolved, and no new infractions were noted. Some of the CC signs were knocked down, some had graffiti. Ammy and Stetson need the post driver to replace some of the signs. They also found a dead owl.

iii. PSNH Access Update –Laura will have a plan showing where the gate will be located, where parking will be, how many signs we would need. Laura will measure parking spaces, how many granite blocks we need, etc. and hopefully have the plan finished by the end of the month. We may need to get engineer in to look at drainage for the parking lot. There are boulders in current parking area that could be used, and the highway department has a pile of granite from the cemetery that we can use to block vehicle access.

Discussion took place about when to close the road to vehicle access. Laura suggested not closing the road until after Labor Day, since there are already people out there for the summer. We discussed posting a sign indicating what will happen. There are issues with the road to consider, especially the large sinkhole. If something happens now, PSNH would hold the Town liable. Maybe we should close the road sooner rather than later given the liability issues.

Laura found records from where the CC had spent lots of money on picnic tables and port-a-potties.

Ayn thinks that we should have a feature article on closing of the road in the Concord Monitor. Laura said that she always tries to pitch our meetings to the reporter for Pembroke, but there are no takers. Laura will be working on this. We should have pictures at public hearing showing garbage

b. Monitoring Visit Schedule – Laura provided a list of conservation properties to be monitored with lead people assigned to each property. Each member got 2 properties, and newer people each got one small parcel. Laura will provide monitoring packet at next meeting. Its up to the lead individual to coordinate the monitoring for that property. If there are more than 4 CC members or more going out to monitoring, it is considered an official meeting and needs to be posted at least 24 hours in advance and notes should be written.

c. Abutter notification – Laura sent letters to all of the conservation property abutters last week. She included a map and highlighted the conservation parcels and the property. Laura did get two calls regarding the mailing.

d. AGNE monitoring – The Signs never got posted for AGNE. The CC will meet at 5 pm on June 25, 2007 (prior to our meeting) to conduct the monitoring. We need to check that the trash had been removed from property. Stetson will check with AGNE to make sure its okay.

e. Next meeting will be working meeting. The CC will work to identify potential properties for conservation. Laura can put together a letter to send out to potential property owners. We just would need to add map and lot numbers. We can review at the meeting.

6. Miscellaneous Items – memo to Tom Petit. Laura had sent Tom information about the CC and its authority / obligations, etc. Tom brought up an email from Dana Carlluci sent to the CC after the last meeting. Not all of the CC members received the email.

7. Membership – Outreach to new members

Ayn had contacted Carol Ward, but has not heard back. Ammy talked to Betty Parker – she is busy now, but she is interested in becoming involved in the fall. LAA left messages for two people and talked to teacher. LAA will send him a list of upcoming meetings and easement monitorings. Ayn suggested getting people interested in properties near where they live.

8. Adjournment

Lea Anne made a motion to adjourn the meeting. Todd seconded. All in favor.

The meeting was adjourned at 9:00 pm.

Respectfully submitted by Lea Anne Atwell, CC Secretary