

PEMBROKE CONSERVATION COMMISSION (CC) MEETING
Approved Minutes of October 8, 2007

Attendance

Present

Members: Lea Anne Atwell, Secretary; Carol Bertsimas, Vice-Chair; Ammy Heiser, Chair; Stetson Heiser, Todd Terrien, Planning Board (PB) Representative; and Ayn Whytemare.

Alternate Members: David Baril

Not Present

Members: Kevin Gagne and Brian Tufts, Board of Selectmen (BOS) Representative

Alternate Members: Jeff Abbe

1. Call to Order – The meeting was called to order by Ammy at 6:58 pm. David will vote for Kevin.

2. Subdivision review, Barloe properties Map 563 Lot 110 (Third Range Rd & Beacon Hill Road)

a. Potential Conservation Easement: Apply Land Protection Criteria

Leo Dumont, the applicant, was present to discuss a potential conservation easement on the property. Todd recused himself from this discussion. The CC had previously met at the property at 5pm to walk the potential conservation easement.

The applicant provided maps of property. Those present at the walk indicated that the highlight of the property is an abandoned beaver pond and extensive wetlands along the southern border of the property, which drains a very steep area to the north. The upland area of the potential conservation easement is not as ecologically diverse. Logging trails are located on the property, and the property was likely logged between 10 and 20 years ago.

Members of the CC asked the applicant who would hold the easement, if the CC did not want to it. Mr. Dumont indicated that he did not have another entity lined up, and that he would prefer that the Town CC held easement. One option that was discussed is the Five River's Trust; however, they may not be interested in a small parcel, such as this one. CC members asked if the development would still go forward as a cluster development if the CC was not interested in the easement, and Mr. Dumont indicated that he would still go forward with the cluster development.

Laura Scott, a member of the public, indicated that the open space could be managed and maintained by the Home Owner's Association that will be formed as part of the development. If there is something significant that the property offers, the CC would want to hold the easement. By town regulation, the property doesn't need to have an easement to be a cluster subdivision.

Ayn suggested accepting an easement only on the portion along the southern side of the property and excluding the upland area. The ecologically important part of the property is the beaver pond, as indicated above, and that could be included in the area accepted. Discussion took place about the number of abutters on the conservation easement portion in the upland area.

The CC filled out the Land Protection Criteria for this property, which received a rating of 13 out of 33, and should be filed in the CC files along with the other paperwork for this property.

Discussion took place about the fact that if the land can't be developed, and is protected, what advantages would the CC have in holding the easement? Discussion took place about the potential downfalls of the Town not holding the easement. If the Home Owner's Association had jurisdiction, the CC would have no say in what activities took place on the property. Concern was expressed over the need to protect the connectivity of the beaver pond and wetlands to the Bragfield Pond conservation property.

Stetson made a motion accept this conservation easement, if offered by the applicant, with the understanding that a baseline assessment and survey would need to be provided at the time of acceptance, and conservation signs would need to be posted. Lea Anne seconded. Five votes - yes, One vote – no. Motion passes.

3. Assistance for the CC

Todd Terrien rejoined the meeting. Laura Scott, former Planning Director for the Town, provided the CC with a letter offering her volunteer services to assist with the Scripture Easement and White Sands. These are both long-term, ongoing projects that require coordination with multiple entities, including the Town's Legal Counsel. Laura would be a great resource to the CC in helping completing outstanding issues on these properties. CC members expressed concern over completing these items without outside assistance.

Carol made a motion to accept Laura's offer. Stetson seconded. All in favor.

ACTION ITEM: Ammy will write a letter to the BOS and to Geoff Ruggles requesting permission for Laura to help the CC. The letter should indicate that she has her own liability insurance and that she would need access to files for the abovementioned properties, she would need to be able to talk to legal directly, she would need to be able to make photocopies, etc., and essentially act in staff capacity for these projects until they are completed.

4. Current Conservation Land

a. Scripture Conservation Easement

i. Draft boundaries of proposed easement area

ii. Review easement language to include/ remove

iii. Review all other items for preparation of public hearing on

November 5

Joe and Mayla Tyler were present at the meeting, and Laura Scott joined our discussion. Laura

had written a letter to the CC, which included a summary of uses allowed and a timeline. The CC did not get a copy, as there was a misunderstanding in paperwork organization for the CC.

The Tylers currently have people who pay them for riding lessons at their property, and there was some confusion previously as to whether this would be allowed on an easement whose original intent was for agricultural purposes. Ammy provided a copy of RSA 21:34 "Farm, Agriculture, and Farming." The definition of agriculture includes the raising and keeping of horses, including riding lessons. Therefore, it is okay to keep the current barn and riding ring in the easement portion of the property.

The CC needs a proposed boundary from the Tylers. The Tylers brought an aerial photograph of the property to assist in discussing the proposed boundary. A suggestion was made to just take a copy of their existing tax map, blow it up, then measure it out, and indicate the proposed boundary on the map. We need this piece for the public hearing on November 5, 2007. The driveway should be kept out of the conservation easement, and we should make sure the Tylers have space adjacent to the house for any potential future renovations to the house / property.

Discussion took place about how the Tylers would not be able to mow inside the conservation land. They can keep land cleared, as needed for maintenance of area for horses. If the measure is approved at Town Meeting, the CC would eventually need a management plan that discusses how the property is going to be used.

b. Site cleanup of Baxter Property

Last Saturday, some CC members met to cleanup the property.

c. SCA NH Conservation Corps Proposal / UNH Community Environmental Outreach Program

Ayn emailed potential project list to principals involved, and emailed CC members a copy of potential project ideas from these two programs. These options are being explored in light of the current staff support for the CC. The option of having an intern in the office for day-to-day support may not be a good project, because this person may not have the knowledge and experience necessary. Other options included help with baseline assessments for the property, help with our current land drive, help with posting signs and GPS'ing the property markers for all of the conservation lands, and educational outreach and coordination with the schools.

ACTION ITEM: CC members should review the proposal and email Ayn with our comments and ideas.

e. Property monitoring status update

CC members are continuing to monitor conservation properties.

5. 10/24/07 Meeting Minutes – Review and Adopt

Carol emailed them to Laura Scott, but they never made it to the CC. The CC did not receive an agenda or our packets this meeting. Carol will bring copies to the next meeting, and we will

hold discussion of the minutes until our next meeting.

6. Review of CC checklist from Laura's email and Delegation of CC responsibilities

Carol and Ammy met with Laura to discuss outstanding items. Ammy provided a copy of the email that Laura had sent to the CC members regarding logistics and coordination of CC affairs. Outstanding items included – 1) We need to figure out who is supposed to post the draft minutes. Ammy will check with Geoff about who Lea Anne should send the minutes to. 2) Relevant section of meeting minutes need to be put into the appropriate files. Lea Anne can separate these out and email them to someone for inclusion in the appropriate files. Ammy will also figure out how the packets and agendas get sent out.

7. Adjournment

Todd made a motion to adjourn the meeting. Stetson seconded. All in favor. The meeting was adjourned at 9:31 pm.

Respectfully submitted by Lea Anne Atwell, CC Secretary.