

# Pembroke Conservation Commission

## Meeting Minutes

November 9, 2020

In attendance: Ammy Heiser (Chair), Carol Bertsimas (Vice-Chair), Ayn Whytemare (Secretary), Wendy Weisiger, Susan Plante, Holli Germain (PB Rep), Also: Diedra Benjamin (Wetland Scientist) Absent: David Baril, Mike Crockwell

### Declaration of Emergency (Virtual Meeting)

1. **Call to Order** 7:11pm, via GoToMeeting

2. **DES Letters and Applications**

- a. **Whytemare-Donovan Driveway/Wetland Permit** Presented by Diedra Benjamin, Maps distributed earlier electronically. 15" pipe to be installed to allow wetland connectivity. Crossing proposed at the narrowest point. Used new DES tool that revealed that there were not special concerns, Meets minimum impact requirements. Looking for an expedited permit (under 3000 sq.ft.). Erosion and sedimentation control part of the plan. Wetland setbacks to be marked with medallions. (Notes taken by Ayn Whytemare and reviewed by PCC at the time of writing). Ammy moved to accept the application and sign any documents approving it. Carol Seconded. Wendy-yes, Susan-yes, Holli-yes, Ammy-yes, Carol-yes, Ayn-abstain

3. **Planning Board Applications**

- a. **Pembroke Pines Golf Clubhouse** Comments from last meeting passed onto PB and Zoning. 157 space new parking lot proposed on other side of Whittemore Road. No further comment
- b. **Petit-Roan Funeral Home Garage** Looking for approval for a one stall detached garage at the rear of the parking lot for their funeral coach, 24'x18'. It is within the Aquifer Protection District. Unclear if the area is already paved, small shed already on property. No concerns noted.
- c. **Soake Pools Storage Building** on Silver Hills Drive. Sits within the Aquifer Protection District and Wellhead Protection District. Existing driveway and swale on site. Temporary storage structure for finished pools, open at both ends, sits on concrete blocks with gravel base. 10,080 sq ft. truss building. No electricity or sewer needed. Stormwater management plan for larger structure was already been approved in 2009 plan. It is a Development of Regional Impact. Also want Special Use Permit because it is in Aquifer Protection District. No chemicals to be stored, minimal traffic expected. Questions: Why is this referred to as "temporary"? Could be part of development creep which could lead to more structures in the future. Area is sensitive in relation to town water. What is the structure to be made of?
- d. **Evans Proposed Development on Beacon Hill Road** Site walk on November 14 at 9am. PCC is abutter. Proposed 101 units (8 separate

buildings) of elderly housing units, want to open up portion of Class 6 road of Beacon Hill to access the property. Considered a public Hearing to be continued on November 16 at BOS regular meeting. Concerns include traffic in rural area. Plan has been in the works for a while and the town doesn't have a lot of say about it because NH Housing Authority seems to have overarching authority. Precedent of opening up Class 6 road is concerning. Question as to why this is being proposed now when similar project rejected 20 years ago.

ACTION ITEM: Carol, Ayn and possibly Ammy can attend Site Walk.

4. **Review and Approve Minutes of October 12, 2020.** Ammy moved to accept the minutes as written, Carol seconded. Ammy-yes, Carol-yes, Ayn-yes, Susan-yes, Wendy-abstain, Holli-abstain, Ayn-yes
5. **Land Acquisitions** Ammy and Ayn worked on Conservation land purchase process checklist. (Attached)
6. **Conservation Lands**
  - a. **Whittemore Town Forest** to be adopted by Scout Troop 270
  - b. **Merrimack River** Still need to get 2 signs.
  - c. **Monitoring Update** Doyle Family to adopt Center Hill Property, Susan Plante to adopt Keniston-Taylor.
  - d. **Other** Need 2 more signs on Pembroke Pines end of White Sands parcel

ACTION ITEM: Carol will get 2 signs each for Merrimack River and White Sands (making sure to include wording "Swim at your Own Risk"). Larger signs needed. NH Department of Corrections Sign Shop (271-1874 [alan.burgess@doc.nh.gov](mailto:alan.burgess@doc.nh.gov))

ACTION ITEM: Ayn will walk Keniston-Taylor area with Susan Plante this fall. Ammy will reach out David Baril to see if he will be Monitoring Chair (bringing the list to each meeting). Brian Mrazik has expertise in the Garmin/GPS mapping, Ammy will ask him what roll he wants to take on. Wendy can take GPS files and convert them into something we can use on our phones.

7. **Other Business**
  - a. **New Members** Susan Plante is officially a member of the Board!
  - b. **Other** Ammy, Carol and Ayn would like to meet to sort out our files at Town Hall
  - c. **Master Plan Public Hearing December 9** Likely to be virtual as Covid cases are rising and semi-lockdowns proposed.
8. **Mail and Correspondence** Dues coming due to be paid in December/January
9. **Adjournment** 8:41 pm Ammy moved we adjourn, and Wendy's head exploded because it was her 6<sup>th</sup> hour on Zoom today.

NEXT MEETING ON DECEMBER 14<sup>TH</sup>

# Pembroke Conservation Land Purchase Process

1. Fact Finding:
  - a. Member of PCC meet with Landowner
  - b. Obtain Map of property (note map and lot number)
  - c. Determine whether donation or purchase, and price if applicable
  - d. History of land: logging/agriculture, structures and helpful info.
2. Site Visit:
  - a. Land Criteria Rating Sheet
  - b. Bring NRI maps of wetlands and natural resources
  - c. Refer to Town website's GIS maps and Tax Card
3. Historical Significance
  - a. Contact Jim Garvin and/or Historical Society
4. PCC Discussion
  - a. Gauge interest, willingness to spend funds.
  - b. Appraisal needed? If landowner wants full price, then have them pay for appraisal.
5. Additional Funding
  - a. Local Land Trusts
  - b. State/Federal Options
6. Purchase and Sale Agreement Development
  - a. If PCC decided to move forward, have PCC authorize a signer for the P&S
  - b. Value not to exceed appraised *conservation* value
  - c. Subject to Board of Selectmen and Public Hearing approvals
7. Legal
  - a. Have town lawyer input on P&S, Public Hearing Notice, BOS advice and anything else.
8. Board of Selectmen
  - a. Meet with BOS with all facts and potential price.
  - b. We need their approval to move forward. Emphasize that the results of the Public Hearing is sufficient to do this and approval for Town Meeting not needed.
9. Appraisal and Price
  - a. After conservation appraisal complete, go back to landowner to set/renegotiate price with lawyer's oversight.
10. Third Parties
  - a. Find or speak with a land trust to hold the easement to the property if they are willing or able.
  - b. If land trust found, need to have another Public Hearing to turn Conservation Easement over to them.
11. Prior to Closing:

- a. Title and Deed search (Need Title Insurance company, Title Pro suggested 603-875-4400)
- b. Get closing costs and Tax proration.
- c. No Transfer fees for Town Land but there will be Recording fees. Establish who will pay for that (based on if land was purchase or donation)
- d. Get PCC to vote to release funds and get Voucher from Town Accounting Office to pay (Any expenditure over \$5000 requires Public Hearing). Many closings require a cashier's check but Title Pro has allowed Town's check, making it out to the Title company.
- e. Make sure there are all necessary signatures, including BOS.

12. Deed Language

- a. Clear language that land has been purchased/donated for *conservation land only* or *open space*.
- b. Signature page on the Warranty Deed states, "the acceptance by the Town in accord with RSA 36-A:4 for the purchase of conservation land is accepted in the name of Town of Pembroke by the Pembroke Conservation Commission with approval by the Board of Selectmen." (this is needed to protect from town development)