

# Pembroke Conservation Commission

Meeting Minutes

July 13, 2015

In attendance: Ammy Heiser (Chair), Carol Bertsimas (Vice), Ayn Whytemare (Secretary), Brian Mrazik (Monitoring), David Baril, Mike Crockwell (BOS). Absent: Steve Fowler, Kevin Krebs. BOS member Fred Creed

## 1. Call to Order @7:10 pm

## 2. Conservation Lands

**a. Ames Brook** Concern about old cellar hole that might have been filled in.

**b. Beacon Hill** Ayn made sure town finance office paid or it. Brian will take them and put them up eventually...

ACTION ITEM: Mike should call Brian and help him out.

**c. AGNE** Ammy and Brian monitored and observed nothing was done on the pond dam that Ken Rhodes was so interested in.

**d. Monitoring Update** Being consistent about asking neighbors not to dump anything on conservation property since even a leaf pile can encourage others to dump other less natural items.

**e. Other** Carol and Steve monitored the Scripture piece. Carol needs documentation in order to ask Tyler's for their Management Plan.

**3. Review and Approve Minutes~ June 8<sup>th</sup>** Ammy moved to accept with minor changes, Brian seconded. All in favor, David abstaining.

## 4. Planning Board Applications

**a.** David Jodoin presented information about the BOS approving easements (all types) The BOS can buy and sell land provided they run it through Planning Board and Conservation Commission before public hearings. In 1987 a subdivision across from PA was approved but since it was not developed there are deed issues that need to be cleaned up. We may have a chance to get some Conservation lands when they go through the process again. Carol moves that the CC has no interest in the road outlined approved by the PB in 1987 by Hodges Development Corp. (It is not going to be built, this in cleaning up the paperwork), Ammy seconded. All in favor.

**b.** Slope and drainage easement from Clean Energy on Cooperative Way. Needed for maintenance of road and pipeline. Motion that the only concern the CC has is that the town maintains the drainage easement that Clean Energy is giving the Town. David moves to accept, Ayn seconded. All in favor.

**c.** Brian reviewed the Krazy Kids application in which they are seeking to expand with another building and lease more land for outside attractions. Will be disturbing 58k sq. ft. About 42% of their lot will then be impervious surface. They have a storm water basin on site. In building they want to cut trees in the 20' wetland buffer to also offer emergency access. Considering how permissive Pembroke's wetland buffer is impacting the buffer in any way is discouraged. Due to potential risk of silt build up it will be imperative that retention pond will be maintained. We request that they use pervious pavement because it is in the aquifer protection district. Concern that removing the trees

and “thinning” the abutting area will reduce future use of the area. Also want to make sure that carts remain without engines.

## **5. DES Letters and Applications**

a. Wetland application for driveway requested for new house on 523 North Pembroke Road (Micucci/Fowler presentation from 6/8/15 minutes) Motion to approve the application and have Ammy sign. Ammy moved, Carol seconded, all in favor.

**6. Potential Acquisitions** Keller-Williams is handling the sale and bid process of the town owned properties listed last month. We need to contact the realtor in order to check on value and bid possibilities. Members need to walk 438 and 543 Cross Country Road (map available at Town Hall).

ACTION ITEM: Carol will contact realtor about pieces we are interested in.

## **7. Other Business**

a. **Permit for Cooperative Way Extension (AKA Loop Road)** In May we approved what was presented by Ken Rhodes. Rick Van de Poll expressed concern for habitat disruption for snake habitat. Fish and Game wants to have a meeting with the town. Fred is making a point of attending all meetings that involve this development. He wants to make sure we really are okay with it and asked for a letter in support of the road project. Question of whether we need to do this since we have it recorded in May 11, 2015 minutes that we approved of the road plan. Ammy recalled signing the Wetlands Permit application that went to DES. Carol will attend the TIF committee meeting on July 20<sup>th</sup> at 4pm to review the project.

**8. Mail and Correspondences** Letter from Mason CC opposing Kinder-Morgan pipeline which will disturb wetlands, aquifers and cross conservation lands. Copy attached for personal use.

**9. Adjournment** Carol moved to adjourn, David seconded.

NEXT MEETING ON AUGUST 10<sup>th</sup>

## To New Hampshire conservation commissions:

This package includes a letter opposing on environmental grounds the Northeast Energy Direct natural gas pipeline project proposed by Kinder Morgan and Tennessee Gas Pipeline to cross southern New Hampshire. The letter was written by a group of concerned conservation commissions in southern New Hampshire in towns along the proposed pipeline route (including Amherst, Mason, Merrimack, Milford, Pelham, and Rindge) to enumerate our many worries about potential environmental damage that could be caused by the project if it is allowed to proceed.

A copy of this letter will be sent directly to Gov. Hassan, our federal Representatives and Senators, and the Federal Energy Regulatory Commission (FERC). Copies of the letter will also be sent to various other state agencies and media outlets (see list at the end of this page).

**We are asking you to join us in opposing the project by adding your members' signatures to the letter.** Even if you currently have no pending infrastructure projects within your town, we believe this project could adversely affect our natural environment (which of course does not limit itself to towns directly impacted by the project) and furthermore set a dangerous precedent for New Hampshire.

**If you would like to be part of this effort, we need electronic facsimiles of your signatures** to include in the document. To provide your signatures, please print the last page of the letter (containing the heading "In Conclusion," before the endnotes), write the name of your town somewhere on the page, and sign the page. You can have all members sign or include only the signature of your chair, whichever you prefer.

You can return the signatures to us in one of two ways:

1. Mail the signed page to:

**Bob Dillberger**  
c/o Mason Conservation Commission  
16 Darling Hill Rd.  
Mason, NH 03048

2. Scan the signature page or take a high-resolution digital picture of the page and send it via e-mail to:

**bob.dillberger@gmail.com**

(Bob Dillberger is a long-time member of the Mason Conservation Commission. He has been coordinating this effort and compiling the letter.)

Regardless of how signatures are provided, they will be added to an electronic version of the letter from which printed copies will be produced for delivery to recipients.

**Please return signatures by August 1, 2015.** (We've tried to allow time for you to discuss this topic at your regular July meetings.)

**Thank you very much** for supporting this effort. We believe that collectively we can make a difference and protect the natural wonder of our beautiful state.

If you would like to learn more about the pipeline project, we suggest these Web sites:

- [www.nhacc.org/resources/energy/](http://www.nhacc.org/resources/energy/)
- [NHPipelineAwareness.org](http://NHPipelineAwareness.org)
- [MassPLAN.org](http://MassPLAN.org)
- [StopNED.org](http://StopNED.org)
- [NoFrackedGasInMass.org](http://NoFrackedGasInMass.org)

Here's the current CC list for the oppositional letter (subject to change; additions welcome):

- N.H. Dept. of Environmental Services
- N.H. Site Evaluation Committee
- N.H. Senate and House of Representatives
- N.H. Attorney General
- N.H. Association of Conservation Commissions
- Union Leader
- Nashua Telegraph
- Keene Sentinel
- Monadnock Ledger-Transcript
- Concord Monitor
- Lowell Sun
- WMUR
- NHPR

*(To provide for return correspondence, the conservation commission in one of the affected towns will send the oppositional letter, with the following cover letter, on behalf of the signatories. The choice of which commission will send the letter is pending decision at regularly scheduled conservation commission meetings in July.)*

Some Conservation Commission  
123 Some Road  
Some Town, N.H. 03030

August 1, 2015

Governor Maggie Hassan  
Office of the Governor  
State House  
107 North Main Street  
Concord, N.H. 03301

Dear Governor Hassan:

The enclosed letter regarding concerns about the Northeast Energy Direct natural gas pipeline project (FERC docket PF14-22-000) was written jointly by a group of conservation commissions in southern New Hampshire. The Some Town Conservation Commission agreed to distribute the letter on their behalf, and will act as liaison to this group should you wish to communicate on this matter. We agreed to serve in this role solely for logistical reasons, to provide a single point of contact. The letter itself is very much a collective effort, and the Some Town Conservation Commission is but a single signatory.

Respectfully,

Some Person  
Some Town Conservation Commission Chair

those of humans after prolonged exposure to loud noise. Other studies show that anthropogenic noise can interfere with vocalization and communication in some species, leading one author to conclude that "The inability of creatures to successfully communicate or otherwise employ their auditory senses is detrimental to the long-term survival of these displaced creatures and the overall biological integrity of the environment."<sup>41</sup>

## In Conclusion

Perhaps it's true that New England needs more energy. However, New Hampshire, as a net exporter of electricity, does not. New Hampshire's recently completed Ten Year Energy Strategy identifies what the state *does* need to prepare for the future, that being (among other things) electric grid improvements (including increased use of sustainable energy sources such as wind and solar power) and improved energy efficiency. Efficiency improvements in particular yield the cheapest, cleanest, most plentiful energy source with no adverse environmental effects. And New Hampshire has much room for improvement here; it lags behind neighboring states in adopting energy efficiency measures.<sup>42</sup>

What New Hampshire does *not* need is an expensive, short-term fossil-fuel fix that diverts us from energy efficiency and energy alternatives and simultaneously destroys wetlands and wildlife habitat, disrupts farmlands, degrades water quality, adds to air and noise pollution, and directly contradicts the legal mandate to hold above all else our precious conservation lands in the public trust.

We the undersigned conservation commissions of New Hampshire believe that the protection of our natural resources is a fundamental right, and that this private taking of these natural resources not only violates this right but is an egregious act against our constitutional guarantee to be protected by the State for the "enjoyment of...life, liberty, and property."<sup>43</sup>

In closing, we acknowledge that energy unquestionably contributes to our quality of life. But the natural environment is the source of that life. Surely nothing is more important than protecting the source.