

**TOWN OF OSS�PEE
CONSERVATION COMMISSION
MEETING MINUTES
April 12, 2023**

Minutes have been recorded for the convenience of summarization by Laura Nash, Planning Board Secretary and are deleted once minutes are approved; any amendments to the minutes are noted in ***bold & italic*** type.

Call to Order: Marie McConarty called the meeting to order at 7:00 PM.

Roll Call: Marie McConarty- Chair, and Ralph Buchanan – Vice Chair

Absent: Krystal Eldridge

Guest Speaker:

- **Susan Price, Carroll County Fish & Game Commissioner** – Presents to discuss the tree cutting at Terrace in the Pines and its effects on Big Dan Hole Pond.

Susan Price stated her name for the record. Susan Price requested to come before the CC informing the members that within a span of a few hours she had received phone calls from Steve Anger of Travel Unlimited, who also owns the North Country Angler store in North Conway conveyed through numerous calls that there has been clear cutting at Terrace in the Pines and the new owners intend to block access to the public. Susan Price received a call from friend who just purchased a camp on the Tuftonboro side of Big Dan Hole Pond informing her of the clear cut.

Susan Price spoke with the Town Timber Clerk, who stated the only permit issued was for the timber cutting. Susan Price noted that no other state permits have been applied for or issued. Susan Price presents on behalf of Fish and Game with concerns of the environmental impact to Big Dan Hole Pond of which Fish & Game stocks with trout every year because of its pristine, clean, non-sediment water quality for the eastern brook trout. Susan Price spoke with Fish & Game Director, Dianne Timmons, Senior Scientist of Inland Fisheries Mgmt., who expressed concerns of the rumors of big development around Big Dan Hole Pond.

Susan Price spoke of the public access for Big Dan Hole Pond through Terrace in the Pine property. Susan Price explained that Fish & Game has a policy that they exercise which states, “If you block; and you provide as a private property owner, public access to the use of the pond and subsequently take away the public access. NH Fish & Game will no longer stock your pond/lake because people pay for their fishing license and public access, and Fish & Game will not stock private ponds.

Discussion ensued over the awareness of the public access through Terrace in the Pine. Susan Price and Buchanan both stated the prior owner would grant public access to those wishing to go fishing at no cost. The other area that Fish & Game is involved in the Alteration of Terrain permitting. Susan Price noted if the rumors are true the new owner and developers will need a NHDES Alteration of Terrain permit for anything over 100,000 sq. ft. Fish & Game does not approve the permit but they do have a portion under the Endangered Species Act that are involved on.

Susan Price spoke with Steve Anger about getting a stake holder group together, like Moose Mountain Regional Greenway. Per conversation with Steve Anger , who spoke with Matt Sawyer, commented they may have already violated zoning ordinances of maintaining 30 acres for every 100 acres cut. Marie McConarty ***stated*** they have ***approximately*** over 600 acres total and cannot cut within 250 ft. of the lake but she believes their cutting towards the back, up the hill. Susan Price noted that Matt Sawyer was going to investigate the area.

Susan Price noted that through the permitting process if the developers know that their being watched they will follow the rules. McConarty noted that the Timber Monitor would be the person to keep an eye on the situation. But McConarty stated, "If there is something going on in Ossipee – Guaranteed there is someone watching." McConarty noted there have been no permit applications submitted to the Town. There was an Intent to Cut that came before the Committee. But it was only to notify the Committee of a cut taking place. But usually by the time the CC receives the notice the timber has already been cut. McConarty informed Susan Price at this point there is nothing the CC can do based on speculation. But they will keep their eyes open for any permitting. Discussion ensued over rumors of the camp ground expanding, adding more docks, potential hazard to swimmers if more docks means more boats, not stocking the pond if public access is restricted, etc.... and the affects faced at Camp Sentinel because of the lack of parking. At this point Camp Sentinel only allows kayaks and canoes, no motor-powered boats.

Susan Price explained how Big Dan Hole Pond has a 20-foot Secchi Disc (which measures water clarity) which is unheard of in the northeast but is pristine for eastern brook trout reproduction and for stocking. Susan Price noted that without the EBT stocking the trophy trout would go away. Susan Price noted she is a resource for the Conservation Commission. Discussion ensued over the size of power boat motors allowed on Big Dan Hole Pond or any pond or lake in Ossipee. Susan Price stated in order to add a horse power restriction to the size of motor allowed on Big Dan Hole Pond, first Ossipee would have get Tuftonboro to agree because the two towns share the lake. Once both towns approved the horse power restriction, it would be sent to Concord to go through the legislature for approval, if approved it would be sent to the Governor for signature.

Susan Price referred a training seminar on search and rescue she hosted with two members of the search and rescue team along with the search dog. The point Search and Rescue were trying to get across was:

1. If you go out be prepared, if your prepared don't call Search and Rescue, but if you need help call and if you have your high safe card and you were prepared, then you won't get a high bill. But...
2. House Bill going through the Senate pertaining to search and rescue that if you don't pay your search and rescue bill, then you'll lose you driver's license.

Susan Price explained that it's \$20,000 a day for a Black Hawk helicopter to be brought in for a search and rescue. So, Fish and Game along with the Search and Rescue division are clamping down on ill prepared individuals and if they rescuing their going to pay for not being responsible enough to prepare for their outing.

Elect Chairman: Move to the next meeting

Elect Vice-Chairman: Move to the next meeting

Meeting Minutes: Review to approve meeting minutes of March 8, 2022

A **Motion** by Buchanan to approve the meeting minutes of March 8, 2022. Marie McConarty seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Financials:

- CC First Quarter Expense Report – was reviewed and no concerns were addressed.
- SPNHF: Thank you letter for renewal of membership.

Old Business:

- Beech River & Annie Nichols Rd Parking: Project is on hold but will remain on the agenda until further notice.

McConarty spoke with TJ Eldridge – Public Works Director, who apologized for being able to make this meeting but will be at the next meeting. McConarty spoke on the Beech River & Annie Nichols Rd Parking Project noting when the road was redone approximately 2006 it started to undermine and the road is starting to run into the river. The road is starting to cave in on the river side. McConarty went by the area prior to tonight's meeting and the safety cones are out and the steep section near the second wall is located you can see where the guard rail is starting to cave in. An engineer was coming today to do an assessment. They're not sure if they're going to close the road down or bring a vote to the town's people to raise the funds to repair the road because it's going to be a big expense. So McConarty commented at this point in time that project is on hold until the road is eventually repaired.

- Windows on the Ossipee Mountains:

1. Landscaping project – On Hold until Spring

McConarty spoke with TJ Eldridge, PWD, who conveyed he would be more than happy to take over that project with the Town crew. He's willing to have a crew go down and pick up brush because between winter and spring there is a window of time when there's a lull in the schedule. McConarty confirmed per TJ Eldridge the CC would not be charged for the workers. The CC would have to pay for any material but they won't be charged for the labor. TJ Eldridge, PWD would like to get in between the sign to clean up all the brush. TJ Eldridge, PWD gets truckloads of mulch and would prefer to use it than have to store it out back of the garage.

Buchanan was going to propose clearing another section of brush and saplings and putting down the landscaping fabric. McConarty was not sure how they planned to help but are more than willing to stop in on their way through and help clean up the area. TJ Eldridge, PWD, also informed McConarty that their also going to have an issue with the port a potty going in down there by the port a potty company itself. McConarty said the company had an issue last year with the port a potties getting tipped over and their saying they don't want to put port a potties down there because of people tipping them over or damaging them.

McConarty did inform TJ Eldridge, PWD that the CC has to have a 3-sided enclosure for the port a potties per the conservation easement agreement with now Moose Mountain Regional Greenway so the port a potties are not visible from the road. Discussion ensued on where to locate the port a potties so there not seen but still accessible for the company to come in to empty and clean.

TJ Eldridge, PWD has expressed an interest in cleaning out all the pucker brush and landscaping the area with mulch.

Gordon Pilotte inquired if a composting toilet could be used instead. McConarty did not think the town would approve that idea. It's easier for them to rent the port a potties.

Buchanan wants to speak with TJ Eldridge, PWD about picking a day to go down with his excavator to pull the saplings and have the highway crew remove the brush for laying down the landscaping fabric and then add the mulch. McConarty will give Buchanan the contact number for TJ Eldridge, PWD.

2. Picnic table/bench repair - K. Eldridge has the wood needed to repair the picnic tables. McConarty will contact her o pick a day to go down to repair the tables.

3. Shutter Mill Dam: McConarty spoke with Jonathan Smith before the Annual Town meeting about the dam and per Smith the state is going to step in to do the repairs needed.

New Business:

- **SOLitude Lake Management:** Is contracted to treat portion of Ossipee Lake with the USEPA/State registered aquatic herbicide Procellacor EC to control exotic variable milfoil weed. McConarty informed the committee that sometime in between June or August the lake will be treated. Once the permit is issue specific dates will be announced and there will be water activities and water usage temporarily restricted. There will be a public meeting to explain the process. Anyone with objections must submit in writing 15 days prior to the start date.
- **Revisions:** The secretary explained the changes are color coded **RED (STRIKE)**, anything in **PURPLE** is a (Suggested Change) and **GREEN (ADD)**.

McConarty noted the CC will take home to review and address at the next meeting when a quorum will be in attendance.

a. Mission Statement: Discussion ensued over whether to keep the following section:

2. Receive gifts of money or property to be managed by or controlled by the Commission,

McConarty commented that the CC does not receive gifts of property. Buchanan explained in the past property has been gifted to the town but in the deed it will be stipulated that the property is to be controlled by the Conservation Commission. Buchanan noted that whenever the Conservation Commission had the property timbered the money would be place in the Conservation Commissions money market account.

McConarty commented that Ossipee is at its max for conservation land. The state gives towns guidelines as to how much land should be held in conservation based on population, size and comes up with a percentage and she believes Ossipee is at its maximum amount. Buchanan noted that not all the land is conservation land but is current use land.

Gordon Pilotte asked if that only counts land in Ossipee. McConarty believes that is accurate because it counts all land in conservation no matter who monitors the land.

- **Conservation Land:** Discussion ensued on the amount of land being held in conservation and what is allowed under the law. The secretary referred to the CC By-Laws under **Section 3: Function and Duties Relative to the Mission**

The Conservation Commission shall perform the following functions and have the following duties:

- A. Protect in perpetuity a minimum of 30% of Ossipee's land through the use of conservation easements.

Gordon Pilotte inquired what is allowed on conservation land. McConarty noted it cannot be built on, you can hike it ... But Gordon Pilotte referred to the conservation properties behind Indian Mound shopping Center. Buchanan noted that most of the properties are in wetlands and are small quarter acre lots. Discussion ensued on other properties held in conservation on Nichols Rd., across the road from the Fish Hatchery, Sawyer Rd., left side of Annie Nichols Rd. from the bridge, etc....

Discussion ensued bringing Gordon Pilotte and Roger ter Kuile up to date on the properties the CC maintains and what's being done at each location. McConarty and Buchanan explained the history of the Annie Nichols proposed parking area and hiking trail out to the old saw mill. In 2016, Scout: Bryce Northrop of BSA Troop 234 was going for his Eagle Badge and had proposed and achieved the planning, mapping and blazing trails out to the old saw mill. The CC placed new signs at the Windows on the Ossipee Mountains, and the Town Forest on Route 16 and there will be one being placed at the Beech River & Annie Nichols Rd Trail. The Town Forest was initially donated by Pristine Smart for people that could not afford fuel. They could go in and cut some fire wood for the winter. But now it's commercially cut and the money is put into the welfare

budget for fuel assistances. Buchanan stated the main reason why we have conservation land is because we don't want Ossipee to look like a Medford, Mass., or North Conway.

b. By-Laws and Rules of Procedure: Will be discussed at the next meeting.

NHDES - Wetlands Permit:

- Dredge & Fill Wetlands Permit – application for Richard Nelson of 20 Channel Rd. Tax Map: 021 Lot: 005 is proposing to install a perched beach to replace an existing beach.
 - a. Update: Letter received 03/31/2023 from NHDES stating the application is complete and have 14 days to resubmit a completed application.
- **File #2022-01856:** Maria Schiappa Russo of 35 Bay Point Rd. Tax Map: 022 Lot: 012 receives letter of compliance.

McConarty recalled the issue was for an illegal dock placed. NHDES ordered for it to be removed and was pending picture for proof of compliance. The pictures have been received by NHDES. But McConarty noted the dock was only raised out of the water and would the owners be allowed to properly apply for a dock permit. General consensus was they could but might have a difficult time getting it approved by NHDES.

Notices:

- **Granite State Tree Farmer:** Winter 2023
- **SPNHF:** Forest Notes Winter 2023
- **MMRG:** Tour the Great Meadow, May 12th, 12-2:00PM Sodom Rd. Tuftonboro.
- **GMCG:** Saco River Watershed Stream Crossings Assessment Project: the meeting is on April 19th, 2023 either in person or via Zoom.

Any Other Business that May Come Before the Commission:

- Buchanan reported that Gordon Pilotte (who is in attendance) is interested in becoming a member of the Conservation Commission.

A **Motion** by Buchanan recommending Gordon Pilotte to the Conservation Commission and for the secretary to submit a letter to the Board of Selectmen requesting they approve their appointment. McConarty seconded. No discussion. A unanimous vote was taken. **Motion passed.**

- Roger ter Kuile is interested in becoming a member of the Conservation Commission and has submitted a letter for the Select Board and the Conservation Commission.

A **Motion** by Buchanan recommending Roger ter Kuile to the Conservation Commission and for the secretary to submit a letter to the Board of Selectmen requesting they approve their appointment. McConarty seconded. No discussion. A unanimous vote was taken. **Motion passed.**

- McConarty suggested inviting Susan Price, Carroll County Fish & Game Commissioner back to do a presentation on the Search and Rescue aspect of Fish and Game authorities. Discussed having it at either Town Hall gym or the school.

- Friends of Constitution Park Ossipee will be meeting on April 27, 2023. McConarty explained the work this group has been doing at the park by adding a Disc Golf course, they made access to the fields

handicap accessible, all new Signage, and they are applying for grant money to reconstruct the Nature Trail Boardwalk.

- Buchanan announced that tomorrow morning at 9:00 am on Acorn Drive, he will be having wood therapy, if anyone is interested.

Next Meeting Date: May 10, 2023 at 7:00 pm at the Freight House

Adjournment:

A **Motion** made by Buchanan to adjourn the meeting. McConarty seconded. No discussion. A unanimous vote was taken. **Motion passed.** The meeting ended at 8:30 PM.

Minutes approved by majority vote of the Commission on _____
Date

_____ **or** _____
Marie McConarty, Chairman **Ralph Buchanan, Vice Chairman**