

CONSERVATION COMMISSION MEETING MINUTES

MEETING MINUTES

June 8, 2016

Minutes were recorded and a Summary transcribed by Laura Nash, Commission Secretary.

Revisions to these minutes are noted by ***bold/italic*** type.

1. **Call to Order:** Chairman - **Ron Adams** called the meeting to order at 7:02 PM
Attendee's: Ron Adams - Chairman, Donna Gridley – Vice-Chairperson, Ralph Buchanan, Bruce Parsons and Tim Otterbach. **Absent:** Ron Larrivee
2. **Guest: Dallas Emory** from Economic Development Committee, presents as acting liaison to build a working relationship between the EDC other town committees. **Ron A.**, mentioned he spoke with the president of the Dan Hole Pond Watershed Trust, who were considering doing the Build-out Study but they were looking for support from the EDC. Dan Hole Pond Watershed Trust had concerns of whether anyone would use the study. **Dallas** could not provide an answer at this time. **Dallas** stated there is a lot of misinformation and mistrust and the EDC is working towards getting a working relationship between all Boards and Committees.
3. **May 11, 2016 Minutes:** No corrections to be made
Motion: by Ron A., seconded by Donna G., to approve meeting minutes of May 11, 2016.
All in favor, motion passed.
4. **Financial:**
 - **Budget Report** for May 2016: Computer money all there
 - **Checking:** Questions raised about dues and workshop expenses not deducted on the May Budget Report.
 - **Money Market** – No information from Harry Merrow.
 - **Spending approval**
 - Town of Tamworth Tax Bill – **Motion:** by Donna G., and seconded by Bruce P., to approve \$37.00 payment for tax bill. **All in favor, motion passed.**
 - Am. Tree Farm - **Motion:** by Donna G., and seconded by Ralph W., to approve \$100.00 payment for dues. **All in favor, motion passed.**
 - NH Lakes Association - **Motion:** by Bruce P., and seconded by Donna G., to approve \$55.00 payment for seminar registration fee. **All in favor, motion passed.**
5. **Intent to Cut:**
 - Map: 244 Lot: 2, owner John Jeddrey, Pollys Crossing Rd., to cut 10 acres of 106.1 acres by Tom Fadden Chipping & Logging, Inc..
 - Map: 245 Lot: 13, owner Pine River State Forest – Gayla McLucas (Treasurer), Duncan Lake Rd., to cut 91 acres of 995 acres by RCM Logging & Trucking.
 - Map: 201 Lot: 1, owner Chocorua Forestlands, LLC. - Gilman Valley Rd., to cut +/- 32 acres of 41 acres by Jeffrey Coombs, Forester – Ossipee Mt. Land Co.
6. **DES Notices:**
 - a. **Roland Millette**, 22 Bluffs Blvd. Ossipee Bluffs Assoc.: Received approval of Restoration plans with 20 specific conditions. As stated in the letter “This area has been the subject of DES enforcement action for illegal construction of jetties in Ossipee Lake that has caused unnatural erosion, sedimentation, and accretion in the vicinity of the mouth of the Lovell River and shoreline areas east and west of the river mouth. Ossipee Bluffs Association (OBA) will be responsible for implementing the Restoration Plan.”
7. **Old Business**

- **Lake Host Program – Ron A.,** commented they received approval of the \$1,000.00 grant to count towards salary of Mr. Connery. **Tim O.,** questioned if *the Lake Host is available* to monitor the *boats during construction until the ramps are actually closed.* **Ron A.,** needs to meet with Mr. Connery to schedule a start date but Mr. Connery needs to go through training first. **Ron A.,** reminded everyone present that the new law for lead sinkers is in effect and as of January 1, 2017, a new law goes into effect to Clean, Wash & Drain of Boats will go into effect.
- **Pat Jones stationary money** – Check for \$6.00 to deposited into CC checking account.
- **Orphan Properties: Ron A.,** update: State of NH Judicial Circuit Court - Notice of Decision: Patten Environmental Trust, Inc. The motion to request an extension of time to make service or serve the new owner because the wrong owner was serve on one of properties due to a sale of property. So any motion for reconsideration should be filed with the courts by June 11, 2016, and any appeals filed with the Supreme Court by July 1, 2016 and then the CC can move forward. There is one property will need to be looked at because there appears to be a structure on the property where there is a conservation easement.
- **Build-out Study** – Dan Hole Pond Trust reviewing options of doing the study.

8. New Business:

- **Bridge repair on Valley Rd & Gile Rd.** – White Mtn Survey & Engineering, Inc., sent abutters notification for bridge repair on Valley Rd and Gile Rd. After discussion and review of plans a motion was made.

Motion: by **Ralph B.,** seconded by Donna G., to approve with No Comments.

All in favor, motion passed.

- **Get Wild Program – Ron A.,** spoke with Jess Cole at Fish Hatchery, who works with the CC for free fishing for kids under 12 program. **Ron A.,** suggested scheduling the fishing day on a Saturday in July. After discussion the CC decided on Saturday, July 23, 2016. **Ron A.,** will schedule availability with Jess Cole.
- **Windows on the Ossipee - Cleanup Day:** First clean-up day was on June 7, 2016 and several loads of brush were removed but there is a lot more work to be done. **Ralph B.,** proposed taking his excavator and remove some of the rocks and go down over the bank and redo the whole bank area. Because the prickly brush and sumac is taking over the whole area. **Ralph B.,** estimates the cost is approximately \$1,000.00 and about 2 day's work with the excavator. **Ron A.,** remembers there was a road that ran along the bottom of the bank and if you keep that open it makes it easier to access the bank for cleanup. After discussion about preserving the wild orchids and the Ossipee Birch, **Ralph B.,** will submit an official proposal in July and work to be done either in August or September 2016.

9. Informational:

- Chapter 91 – A Request for Information – Memo received on May 26, 2016 from Sam Martin referencing Public Officers & Employees access to governmental records & meetings. (previously emailed to each member on May 26, 2016) Ron A., states any correspondence by the CC was contained in the CC minutes and within the letter of request to the Planning Board concerning Westward Shores as follows:
- WWSCG:
 - Asking for a wildlife corridor study on the areas of Pond Road 1,2,3 sites (like Rick Van de Poll does)
 - Asking for designated parking lot for boats and trailers
 - Finding out where the septic areas are for the peninsula sites
 - Asking for no further expansion of docks and moorings (originally shown all along the shoreline)

- Asking for more setback for the peninsula sites located along the unnamed tributary (presently only 10 ft. setback - wants 20 ft. setback)
- Asking for a DOT traffic study on the corner of Nichols Rd and Rt. 16 -
- Asking that the two corners be widened on Nichols Rd as Brad has asked for
- Asking for a conservation easement on the area between the present campground & south of the Pond Rd areas and the Bearcamp River (originally they wanted to develop that area with sites along the Bearcamp - chief engineer asked Northgate to drop them because of the permit hassle, but they may just want to get the rest approved and then come back with those sites at a later date - a conservation easement would stop any future development)

Ron A., states to best of his knowledge there was no electronic communication other than the letter of request to the PB and believes they have complied with the letter of 91-A. **Tim O.**, commented that at the PB meeting last night, Sam Martin was adamant of getting a response from every single Board member and it became quite an issue amongst the Board members. **Bruce P.**, spoke of the tension and confusion about the purpose of the letter and what the PB members were to do in response until Mark McConkey stood up and stated "this conduct is unbecoming of the Board." **Ron A.**, stated **"Let the minutes show the only information we had would have been in the public minutes of the meetings and of the letter of request the CC sent to the Planning Board."** **Bruce P.**, stated he thinks Sam Martin wants Ron Adams as chairman of the CC to poll the committee to make sure each individual member has sent in their emails concerning WWSCG, even if they were to family members. **Ron A.**, also stated **"Let the minute's show that no individual said no communication except what is contained in the public minutes of the meetings and of the letter of request the CC sent to the Planning Board has taken place."**

- **Bruce Parson** - PB updates on WWSCG: **Bruce P.**, said "the attorney for WWSCG addressed each item listed in the paper as someone misinterpreted or someone leaving a word out or someone adding a word that was not said. Therefore according to him (Peter Malia) nobody had any problems with anybody. But, Corey Lane from GMCG was shaking her and saying no that's not correct by her notes and was ignored when she made her comments." **Bruce P.**, continued; Next the letters from Effingham and Freedom were brought up about wanting to be considered as abutters. We (the Board) agreed and are sending them abutter's notices and the case will be continued to the July 5, 2016 meeting to allow time for the abutters to be notified. **Tim O.**, clarified the PB agreed because Freedom and Effingham *have concerns that the project* could be considered as having a "potential regional impact." Laura Nash, Board Secretary clarified the reasoning for moving the meeting until July 5th, was because the PB also agreed to hire an independent engineer to review the plans for meeting Ossipee Zoning Regulations. **Bruce P.**, said Dan Flores presented the updated plans and they are moving the site on the peninsula back so there is a 20 ft. setback. **Donna G.**, commented they had to do that because of the shoreland protection. **Laura Nash** clarified the 20 ft. Setback was for the sites along the Unnamed Tributary which was originally 10 ft. setback. **Ron A.**, agreed it was along the Unnamed Tributary. **Bruce P.**, continued his update stating the septic on the peninsula was now going to be pumped up 1,000 ft. to the septic area by the wetlands. The CC discussed the effects of the septic by the wetlands and potential flood issues and effects. **Bruce P.**, stated he asked about a conservation easement on the wetlands. **Bruce P.**, was told at the PB meeting, WWSCG is seeking an easement along the Bear Camp River. **Bruce P.**, questioned why not the whole wetland area the CC asked for. **Bruce P.**, informed the CC no clear answer was given whether they would or not. **Tim O.**, addressed the discussion from the PB meeting on having transient campers, which he felt was not clearly addressed and felt the question was evaded. **Tim O.**, was concerned with this issue because the traffic study was done on Memorial weekend before the height of summer is even here and does not reflect the actual traffic congestion. **Tim O.**, commented he lives right across the street and has seen several accidents there. **Tim O.**, proposed having a second traffic study done on Rte. 16 & Nichols Rd during July 4th weekend. **Bruce P.**, stated clearly it's going to be a trailer park. Discussion took place over when the park seasons would be open and closed and whether not the campers would remain during closed seasons. **Donna G.**, stated if they're going to be there year round...did anyone at the PB meeting ask what the impact on the

school system would be? **Bruce P.**, stated they're not admitting they're a trailer park! **Donna G.**, again asked, did anyone at the PB meeting ask what the impact on the school system would be? Or the impact on residency? **Bruce P.**, stated WWSCG is claiming they are not going to be there year round. **Bruce P.**, asked WWSCG if they were going to replace their sign out on the road? He was asked why? Bruce P., replied because it says it's year round. Greta Bossenbroek responded that the sign is be redone.

Motion: by Ron A., and seconded by Bruce P., to write a letter to the Planning Board and WWSCG that the whole wetlands area south of the Pond Rd area #1 and south from the exiting camp ground be put in conservation easement to clarify the CC's intent with their previous request. **No final vote taken.**

Bruce P., questioned who is going to hold the easement. **Dallas Emory** asks what the easement does for the town. **Donna G.**, replied they cannot build on it. **Ron A.**, stated you can set guidelines of what can be done on the easement, but typically no building, no vehicular traffic, no parking lot. **Tim O.**, raised points that there are areas that are not designated wetland within the wetland area that could potentially be used. **Ron A.**, responded which is why they are asking for the whole wetland area to become a conservation easement. The easement usually cannot be held by the property owner because of conflict of interest in carrying out making sure the easement is being followed. **Dallas Emory** said they probably don't want to give up their land. **Ron A** and **Donna G.**, stated they would still own the land but the tax rate on that land could go down and the tax rate on the buildable land could go up. **Dallas E.**, questioned they would still get a tax bill on land they can't use. **Ron A.**, agreed. **Ron A.**, questioned if the Selectmen have said anything with regards to the PB discussion of WWSCG. **Tim O.**, replied that Frank R., was in support of every motion *made* relative to the peer review of the plans and the motion for including Effingham and Freedom as abutters. Per **Tim O.**, Frank R. seemed to acknowledge that there was a need to pursue these issues. **Tim O.**, assumed since Frank R., agreed and he's the Selectmen's Rep., they must agree. **Ron A.**, would guess he's not going directly against what the Selectmen want. **Donna G.**, questioned is the PB doing what the Selectmen want or are the Selectmen doing what the PB wants? **Ron A.**, stated Frank would not go against the Selectmen. **Donna G.**, asked the question who is or which Board is making WWSCG do more red tape? **Tim O.**, quoted Bob Gillette by saying "We're trying to make the project be as good as can be" because someone was challenging him on the fact of trying to stop the project and Bob Gillette said "No, we don't have the capacity to do that and we are just trying to ensure that the project is the best we can give to the town of Ossipee." **Laura N.**, stated a correction to Tim O. statement based on her notes from the PB meeting, Frank Riley voted in opposition to Freedom and Effingham as abutters. **Tim O.**, apologized for his incorrect statement.

- **Ossipee Lake Natural Area Working Group:** **Tim O.**, is a member and working with the group and provided an update from the meeting held on May 21, 2016. There is a potential option of having Lake Host be an educator that gives some of the non-resident boaters training on what Long Sands is and what they can and cannot do on the lake. Discussions by Ed Green expressing his concerns on having Lake Host volunteers monitor/policing the boaters. Reception from the boaters has been very good but Ed Green felt that the volunteers are not getting support from all of the entities involved. **Tim O.**, continued that discussion took place on not opening two pocket beaches. A representative from NH Marine Patrol was at the meeting and discussed per **Tim O.**, how thin they're spread between all the lakes. **Tim O.**, said there was a mention of having Ossipee Police patrol but then the discussion of boundary lines between the two agencies came in to play. **Tim O.**, said no decision for lake patrol was made. **Tim O.**, said there was discussion about *charging a nominal* fee for using the Rte. 25 access boat ramp and rolling some of the money *back into the Lake Host Program*. **Ron A.**, mention in speaking with Rick Morgan, there was concerns for boat carrying capacity on the lake. **Tim O.**, said someone had brought that up but they did not have hard numbers with them to respond to the question. **Ron A.**, said Lake Host could hand them out but if someone could make up cards with lake rules and regulations, he felt would be a good idea.

- LRPC 2008 award of excellence plaque returned – Committee members acknowledged.
- Granite State tree Farmers Newsletter
- NH DES Ground Water Bureau - Supply Line Newsletter

- NH Lake Association: **Ron A.**, gave a summary of the conference and workshops he attended.

10. Other business:

- Freedom Conservation Committee: Freedom CC sent a letter to the Ossipee Planning Board addressing their concerns of potential Water Contamination, referring to RSA 36-A:2 and Development of Regional Concern, referring to RSA 36:54 – 58 as it pertains to Westward Shores Campground project. Bruce P., stated the PB considered this last night, voted on and approved that Freedom and Effingham would be considered an abutter and notified as an abutter and any further hearings of WWSCG are deferred until July 5, 2016 Planning Board meeting.

Adjournment

Motion: by **Ron A.**, seconded by Donna G., to adjourn. **All in favor, motion passed.**

The meeting ended at 8:35 p.m.

Next meeting date: Wednesday, July 13, 2016 at 7:00 pm

Minutes approved by majority vote of the Commission on _____
Date

Ron Adams, Chairman