

TOWN OF OSS�PEE
CONSERVATION COMMISSION
MEETING MINUTES

May 8, 2019

Minutes were recorded, and a Summary transcribed by Laura Nash, Commission Secretary.
Revisions to these minutes are noted by ***bold/italic*** type.

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

Roll Call: Marie McConarty – Chair, Ralph Buchanan – Vice-Chairman, James Dolan, and Lorey Pendarvis. **Absent** was Joe Deighan. **Late** was Krystal Eldridge

Meeting Minutes: Review to approve April 10, 2019.

A **Motion** by Buchanan to approve the meeting minutes of April 10, 2019, as submitted. Dolan seconded. No discussion. A unanimous vote was taken. **Motion passed.**

- **Guests:** Jim Rines of White Mtn Survey & Engineering, Inc. was here to present to the CC a project to build 22 – Duplex housing development at 760 White Mountain Highway, LLC. Tax Map: 250 Lot: 005.

Rines presented the intended plans for the project, which entails 44 condo development of 22 Modular Home style duplex units with the option of having an attached garage on the side. Each condo unit will be a two-bedroom, 2- story unit, full basement. Each unit would offer affordable home ownership to individuals, who can secure a mortgage or pre-qualify for a mortgage but are currently renting. Thus freeing up apartments for others looking to start out on their own. Rines demonstrated how the traffic pattern would enter and exit from Route 16 to form a cul-de-sac. The access road would represent the driveway to each unit and not a public road way. The access road would be built per Ossipee road standards to allow for emergency vehicles to access.

While working with NHDES, the issue became once a well serves 25 individuals, on a year-round basis, the well, by rule, then becomes a community water supply. Which in turn brings obtaining the water supply into higher regulatory criteria and is not cost effective for the project planned. So, the plan is to subdivide the property eventually into 7 lots with 5 lots having 4- duplexes each and 2 lots will have 2-dulpexes each. NHDES would prefer one well per 4 units (2 duplexes), each well will be private not a public well.

Rines provided a permit status update, as follows:

1. NHDOT Driveway Permit was issued in February 2019 for two driveways.
2. NHDES Unit Subdivision proposal - pending
3. NHDES Water Supply proposal - pending
4. NHDES AoT Bureau is considering this project as a phased project. With Phase-I being 8 - units in section C1 and R1 of the initial plans without disturbing more than 100, 000 sq. ft. of surface.
5. NH Heritage Bureau issued a recognition letter on 03/26/2019, stating according to their database there will be no impact to any recognized rare wildlife, plant and/or natural community.

Rines noted they will be requesting a subdivision of the lot, a Site Plan Review, and now a Special Use Permit for exceeding an estimated sewage flow greater than six hundred (600) gpd, regardless of lot size. With the Planning Board,'s approval of subdivision, special use permit and site plan review, the owner will begin with Phase I of 8 - units in section C1 and R1 of the initial plans and begin proofing the market. If the market is not favorable, the remaining land has not been disturbed. A temporary cul-de-sac will be made in section R1 as to not disturb the remaining property if the market is not favorable buyers of these units.

The CC's discussion covered the leach fields for each unit, disposal systems, ground water protection, and proximity to Frenchmen's Brook, run-off percolation rate and drainage using rain gardens between the units and two dry wells on each side of the driveway.

The CC requested from Mr. Rines to incorporate a Conservation Easement to delineate the wetlands of Frenchman's Brook. Rines made a note of the request and the CC wished him well with the project.

- **Guest #2:** Mark & Jacob McConkey of McConkey Associates, were here to provide information on a couple of properties they are working on:
 1. A client's request for a perched beach on Ossipee Lake Dr., towards the end of Hodsdon Shore Rd. There is an approximately 2-6 ft. drop to the water. The owner is looking to put in a level beach area instead of ready rock; they would like to use a techo-block for an approximate 2.0 – 2.5 ft. retaining wall. They will need a wetland permit from NHDES.

CC discussion entailed the location, access to property and prior culvert issues with this property. The beach area will be 16 ft. x 13 ft. and per state regulations the wall must be a least a step up before the wall can be constructed.

2. This property is located on Ridge Rd. just before Old Broad Bay #1 and Old Broad Bay #2. The client is currently going through remediation with NHDES because the prior owner cut too many trees and built walls without permits. The new owner has requested from NHDES for a perched beach provided they keep up with the remediation plan. The back wall will be approximately 3 ft. tall made of boulders and rocks. Buchanan questioned if this impede on the replanting of trees and shrubs. McConkey noted it's on the other side of the property. The first phase of the plan is plant 6 trees and re-vegetate the hillside.

Krystal Eldridge arrived at 7:25 pm.

Financial:

- Budget Report: 04/01/2019 – 04/30/2019 was noted to be in good shape.
- Checking Acct: Balance \$665.09 – The CC was advised in order to make payment, they will need to transfer funds from the money market account to the checking.
- Money Market Acct: Balance \$67,561.32
- Water Quality Testing line item: Buchanan inquired at the previous meeting why this line item was still on the CC budget. McConarty explained due to the timing of when the budget committee finalizes the budget and the town election, it was too late to remove. Going forward it will not appear.

Unfinished Business:

- **Lake Host Program:** McConarty tried to contact Jim McElroy, Lake Host Coordinator, and has left a message to speak with him. The CC has agreed to transfer the finding of a Lake Host and the funds over to Jim McElroy and the Lake Host Program to pay for the Lake Host. McConarty will report to the CC at the next meeting.
- **CC Property Signs:** Buchanan reported the post needs one more coat of paint. Eldridge will finish the painting this week. The CC will meet on Thursday, May 16, 2019 at 5:00 pm to load all the boards and install the sign.
- **Scenic Vista/Windows on the Ossipee Clean-up:** Buchanan stated AJ has started the spring clean-up. He will be chipping all the piles of vegetation. Buchanan noted that the highway crew dumped a load of

gravel but Buchanan said the driveway could use a second load. He will speak with Brad Harriman, Hwy Director on getting a second load.

- Old Mill Site on Beech River & Annie Nichols Rd Parking: A revised contract was provided for McConarty to sign. Discussion resolved the quoted cost increased from \$3,750.00 to \$3,900.00 for the engineering work to be done. With the understanding that the Town Highway department will do the work of excavation and laying gravel for the parking spaces.

A **Motion** by Buchanan granting Marie McConarty as Chair to sign the contract agreement for \$3,900.00 to White Mountain Survey & Engineering, Inc. for the work to be done at the Old Mill Site on Beech River & Annie Nichols Rd for parking. Eldridge seconded. No further discussion. A unanimous vote was taken.

New Business:

- Bylaws: The actual date of March 5, 1976 was added for the origin of the Ossipee Conservation Commission. Buchanan stated some of the original Conservation Commissioners were Bill **Hunt**, Gerry Powers, Peter Olkkola, and Randy Lyman formed a corporation in order to buy the Sumner Brook and Fish Hatchery property. It was outside the Conservation Commission is how they were able to do that because the Towns would not expense the money to buy the property. They formed the corporation on their own and the money was paid back by donations and rental fee over the years.

Dolan questioned on page 5 Article III – the number of members to form a quorum is (4) and is the secretary included. It was explained that the current secretary is a hired position for the Town, not an appointed position by the Selectmen. If the CC wants to appoint a member to be secretary, then the current secretary would become the recording secretary for meeting minutes only and the member appointed secretary would manger all other aspects for the commission. The CC chose to leave the secretary position as is.

McConarty suggested removing Get Wild Program from the list of Current Standing Committees on page 5, Article IV – Section 2, since it's soon to be a private residence and business. Buchanan questioned where the money from the sale of the house and 4 acres will be going.

Buchanan gave a history of how the property was obtained by the Conservation Commission. Buchanan stated the purchase of the fish hatchery was made by donations to the Conservation Commission back in 1984. Buchanan explained how some of the members of the original Conservation Commissioners which included Bill Hoyt, Gerry Powers, Peter Orcutt, and Randy Lyman. They formed a corporation in order to buy the Sumner Brook and Fish Hatchery property. It was outside of the Conservation Commission because the Town would not expense the money to buy the property. They formed the corporation on their own by putting their own money in along with borrowing money. They then donated the money to the Conservation Commission along with matching funds from the federal government and matching property values from the Depot Rd. property in Tamworth to purchase the property. The money was paid back by donations and the rental fee over the years.

A **Motion** by Buchanan to request a letter be sent to the Board of Selectmen from the Ossipee Conservation Commission requesting the funds from the sale of the Sumner Brook & Fish Hatchery property be deposited into the Ossipee Conservation Commission's Money Market account. Because the property was bought with funds from donations, federal government matched funds and the value of property from the Depot Rd. property in Tamworth and no Town funds were used towards purchasing the property. Pendarvis seconded. No further discussion. A unanimous vote was taken.

Motion passed.

Buchanan recommended tabling the discussion until the next meeting.

Get Wild Program: Buchanan will speak with Justin & Jessi on the continuous of this program before removing it from the by-laws.

NHACC: Legislative Update March 8, 2019

Intent to Cut:

- **Tax Map: 279 Lot: 012:** (Original Cut) on Browns Ridge Rd. Owner is Michael Wadlinger of WADCO, Inc.; to cut 60 acres of 63+/- acres by Arthur Wood Jr., anticipated start date is 05/01/2019. Approved by the Board of Selectmen. Taxes are paid and No Cemetery.

NHDES:

Wetlands Permit:

File #2019-00681/ NHDOT 10431 – permit approved with conditions for the right-of-way access on Route 16.

Shoreland Impact Permit:

File #2018-03776 – Dianne A Valentine Rev. Trust of 2011, 29 Bay Point Rd. Tax Map: 022 Lot: 010 – permit approved with conditions.

Informational Newsletters:

- NHDOT – Tier 2 project of widening and paving of routes 28, 25 & 16 was discussed by the CC.

A **Motion** by Buchanan to send a letter of response to NHDOT stating the Ossipee Conservation Commission has no issue with the project **RE: Statewide 42323**. Dolan seconded. No further discussion. A unanimous vote was taken.

- Granite State Tree Farmer – Spring 2019 edition
- NH Lakes: Lakeside - Spring 2019 edition
- Town and City – May/June 2019 edition.

Any Other Business that May Come Before the Commission:

- Retirement Party in Honor of Sue Simpson on May 13, 2019 at 12: Noon.

Adjournment:

A **Motion** made by Pendarvis to adjourn the meeting. Dolan seconded. No discussion. A unanimous vote was taken. **All voted in favor, motion passed.** The meeting ended at 8:12 PM.

Next meeting date: **June 12, 2019**

Minutes approved by majority vote of the Commission on _____
Date

Marie McConarty, Chairperson

or

Ralph Buchanan, Vice Chairperson
(In the absence of the Chairman)