

TOWN OF OSS�PEE  
CONSERVATION COMMISSION  
MEETING MINUTES

August 14, 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, Lorey Pendarvis, Joe Deighan and Krystal Eldridge.

**Meeting Minutes:** Review to approve July 10, 2019.

A **Motion** by Buchanan to approve the meeting minutes of July 10, 2019, as submitted. Pendarvis seconded. No discussion. Deighan abstained. All others vote was taken. **Motion passed.**

**Guest:** Ned Kucera, newly appointed Chairman of the Lake Host Program was unable to make tonight's meeting but will be scheduled for September meeting.

McConarty explained that Ned Kucera has replaced Jim McElroy as the coordinator for the Lake Host Program. Kucera explained to McConarty the confusion over funding the program. McConarty stated since the Conservation Commission had previously approved releasing the funds held by NH Lakes. McConarty asked the secretary to email NH Lakes and instruct them to release the funds to the Lake Host program to cover payroll, which was done.

McConarty explained going forward the yearly cost will be \$4,000 from Ossipee, \$4,000 from Freedom and \$2,000 from Effingham. But Effingham has said no to paying the \$2,000. Discussion ensued over funding the program going forward and the difficulty getting the program going. But Kucera start the ball rolling and is getting the program organized.

**Financial:**

- Budget Report: 07/01/2019 – 07/31/2019, McConarty only concern is the secretary's salary line items. Will monitor until the September meeting to evaluate the budget in preparation for the 2020 proposed budget.

- 2019 Lake Host Program Invoice \$2,716.00

A **Motion** by Deighan to expend \$2,400 out of the Water Quality Testing budget line item to authorize payment to NH Lakes for the Lake Host Program to cover salary of the Lake Host. Dolan seconded. No discussion. A unanimous vote was taken. **Motion passed.**

A **Motion** by Dolan to expend \$600.00 from the money market account for final payment to NH Lakes for the Lake Host Program for this year. Pendarvis seconded. No discussion. A unanimous vote was taken. **Motion passed.**

The secretary will notify Ned Kucera that payment has been approved and is being sent to the Town Hall for disbursement.

- Budgeting for Lake Host Program: \$4,000.00 yearly

McConarty needs to meet with the Board of Selectmen to determine if the \$4,000 will budgeted through a line item or through a warrant article.

- Annual Donation: from Long Sands Association \$100.00 – McConarty for a motion.

A **Motion** by Deighan to accept the \$100.00 donation from the Long Sands Association to the Conservation Commission. Pendarvis seconded. No discussion. A unanimous vote was taken. **Motion passed.**

A **Motion** by Deighan to deposit the \$100.00 donation into the Conservation Commission checking account ending in 209. Buchanan seconded. No discussion. A unanimous vote was taken. **Motion passed.**

## **NHDES:**

### **Wetland Permits/Restoration Plans/Applications:**

Discussion ensued over the comfortableness the members have with reviewing expedited permits. Some members are not comfortable approving an expedited permit without first seeing the plans and visiting the site for themselves. The CC discussed the timeline involved. Once the CC reviews and approves the plans, it's forwarded to NHDES, who in turn has 30 days to review for expedited permits or 75 days for standard non-expedited permits.

- Ingham Project – 58 Ridge Rd. Tax Map: 35 Lot: 008 received restoration approval done by Doiron Environmental, LLC. On July 9, 2019. The Conservation Committee read and acknowledged the report.
- Antonio & Dianne Vitale of 28 Channel Rd. is applying for an Expedited Wetlands Permit. Representing agent: Dale McConkey of McConkey & Associates.

Dale McConkey presented plans for a Wetlands permit. McConkey noted they are pending NHB review, RPR review and approval from an abutter for proposal of being within 20 ft. of the setback boundary. The owner wants to re-do the water side retaining wall. The lower retaining wall is .37 ft. away from the water will be brought back away from the water, thus making the square footage lesser. The left side of the wall is the only side that will be less than 20 ft. The overall proposed square footage is less, there will be stone behind the wall for drainage and erosion control, and work will take place during draw-down of the lake.

The Committee had no issues pending approval from the abutter, NHB and RPR review. McConkey will return in September, once he receives the approvals.

- Ryan Surette of 60 Long Sand Rd. Tax Map: 067 Lot: 12 is applying for a Standard Wetlands Permit. Representing agent: Jacob & Mark McConkey of McConkey & Associates.

The CC reviewed the wetlands application to construct 62 linear feet of retaining wall to preserve the existing lakeside beach and armor the shoreline above. There will be 271.00 sq. ft. of temporary impact and 145.00 sq. ft. of new impervious area. Discussion ensued on the actual location of this property and review of the plans. The CC reviewed and discussed the deed restrictions, size of lot, proximity to lake and per the deed "no structures are allowed to be built."

A **Motion** by Buchanan to send a letter NHDES, stating the Ossipee Conservation Committee does not recommend approving this application until it's assured that the waterfront lot property can indeed have a permanent structure, since the deed states no structures are allowed to be built on this lot. Deighan seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Discussion continued over restrictions recorded in the deed.

A **Motion** by Buchanan to recommend to the State NHDES that no permit be grant because the deed states there should be no permanent structures allowed on this lot. Deighan seconded. No discussion. A unanimous vote was taken. **Motion passed.**

A **Motion** by Deighan moves that the Conservation Commission send a letter to the Board of Selectmen asking for the Zoning Enforcement Officer investigate this property, because the deed states there should

be no permanent structures allowed. Dolan seconded. No discussion. A unanimous vote was taken.  
**Motion passed.**

#### **Old Business:**

- Beech River & Annie Nichols Rd Parking: Revised contract mailed 05/10/2019. No response for scheduling work.

#### **New Business:**

- Windows on the Ossipee Mtn.: Buchanan informed the CC that the sumac's are about 5 ft. tall in less than 2 months, since AJ Battles of Coyote Mtn Farm, Inc. went in and cut and mowed. Buchanan suggested a couple of long-term solutions:

1. Building a retaining wall, and landscape it for mowing on a weekly basis.

Discussion over the Town Highway department mowing the area since they have the arm extension to reach over the rock wall for mowing the embankment.

McConarty stated since the Conservation Commission cannot own any land, "the Town owns the land," then the Town should maintain the land and add it into the rotation for the highway department. Discussion ensued over the highway department could use the arm extension to brush hog the area, and it's definitely not a first good impression for tourist visiting the area.

Deighan suggested:

2. Grass the entire area for mowing.
3. Turning the whole area into a park area

McConarty acknowledged the idea but for this year after spending the money in the spring to clean up the area, they need to find a solution. Eldridge agreed to use the arm extension and brush hog the trees on the other side of the wall. Discussion ensued over discussing the issue with the Board of Selectmen.

**Intent to Cut:** The CC reviewed and discussed the notices.

- **Tax Map: 250 Lot: 005:** (Original Cut) on 760 Route 16. Owner is William Benedetto, Member c/o 760 White Mountain Hwy, LLC; to cut 27 acres of 29 acres by Steven Brown of Brown Industrial Group, anticipated 07/10/2019. Approved by the Board of Selectmen. Taxes are paid and No Cemetery on property.
- **Tax Map: 063 Lot: 011:** (Supplemental Cut) on Ossipee Mtn. Rd. Owner is George J. MacKoul to cut 40 acres of 97 acres by Perley Ryder, anticipated unknown. Approved by the Board of Selectmen. Taxes are paid and Yes, there are 2 Cemeteries on property.
- **Tax Map: 063 Lot: 006:** (Original Cut) on Ossipee Mtn. Rd. Owner is Wayne Aleska; to cut 6.5 acres of 6.5 acres by Arthur B. Wood Jr., anticipated 07/15/2019. Approved by the Board of Selectmen. Taxes are paid and No Cemetery on property.
- **Tax Map: 250 Lot: 005:** (Supplemental Cut) Original Intent #19-357-14-T on 760 Route 16. Owner is William Benedetto, Member c/o 760 White Mountain Hwy, LLC; to cut 27 acres of 29 acres by Steven Brown of Brown Industrial Group, anticipated 07/10/2019. Approved by the Board of Selectmen. Taxes are paid and No Cemetery on property.

**NHDES Notices:** The CC reviewed and discussed the notices.

#### **Forestry Notification:**

- Tax Map: 240 Lot: 004 – Chickville Rd. - Tom Fadden & Harold Whitaker

Wetlands Permit: The CC reviewed and discussed the notices.

- 2019-02076 – George P. Couris of 3 Shorey Lane. Tax Map: 085 Lot: 002 received NHDES Shoreland Permit Approval. But it was denied by the ZBA at last night's meeting.

Discussion ensued over the results of the ZBA cases heard on 08/13/2019.

**Informational Newsletters:**

- NHF&G - Wildlines Newsletter: summer 2019 edition
- NH Lakes – Lakeside Newsletter – Summer 2019
- Town of Ossipee Vacancies: Trustee of Trust Funds - one vacancy; Budget Committee - one vacancy; Ossipee Police Department - Full-time & Part-time Patrolman.

**Any Other Business that May Come Before the Commission:**

Eldridge reported at Conservation Trail on Long Sands, there is a huge amount of trash dumped out behind the sandpit. There are burnt tires, burnt wood and trash piled up. The CC decided whoever makes it to the Board of Selectmen's meeting on Monday, is to bring it up to the Selectmen.

Buchanan reported the Duncan Lake Association had their meeting last Saturday and discussed the Loons. There were two nests on two separate islands and delivered no chicks this year. It was reported one was lost due to high water levels and the second was for unknown reasons. Buchanan commented that while he was there, they had 3 Eagles flying overhead.

Eldridge reported every time she comes into Freight House building, she gets congested, not sure if it's allergies or mold, but it makes her congested.

**Adjournment:**

A **Motion** made by Buchanan to adjourn the meeting. Deighan seconded. No discussion. A unanimous vote was taken. **All voted in favor, motion passed.** The meeting ended at 8:23 PM.

**Next meeting date: September 11, 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)