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Town of Grantham Grantham Conservation Commission

MEETING MINUTES December 19, 2011

Chairman Richard L. Hocker called the Conservation Commission to order on Monday, December 19, 2011, at 7:03 p.m. The meeting was held in the Jerry Whitney Memorial Room at Grantham Town Hall located at 300 Route 10 South in Grantham, NH.

Present: Chairman Richard (Dick) Hocker; Merle Schotanus; Lindsey Dixon; David Wood; Joe Watts (*Alternate*); and Kristina Burgard (*Alternate*).

Absent: Jeremy Turner

Public Guest: Todd McIntyre

ADMINISTRATIVE

Approval of Minutes for 21 November 2011 Meeting

Chair Hocker asked the Commission members if there were any additions, corrections, or modifications to be made to the draft minutes for the November 21, 2011 meeting.

Wood stated that on page 1, last paragraph, in italics, the word “made” should be added after “a motion was” and on page 3, paragraph 3, line 4, “Woods” should be “Wood.” Schotanus stated that on page 2, paragraph 2, “Schotanus stated to the suspended” should read “Schotanus stated with regard to the suspended wetlands.”

With no further corrections suggested a motion was by Watts to approve and accept the November 21, 2011 Minutes as amended; second by Schotanus. There being no further discussion, the motion was put to a vote.

Unanimously Approved & Accepted

OTHER BUSINESS

Conservation of Lands

Chair Hocker recognized Todd McIntyre. Mr. McIntyre explained that he is coming to the Commission to discuss conserving several areas of his Cote & Reney properties that are unusable for any industrial use, largely because they are wetland areas. These areas include a small triangular piece on the North side of Route 114 plus a large section of wetlands on that side of

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the road, the section with the boat launch that provides access to Stocker Pond, a separate parcel on the other side of I-89 that is bounded by I-89 and Stocker Brook, and the wetland area on the western side of the property. Mr. McIntyre explained that these are all lands that they cannot use, but the tax burden on them is very heavy. He indicated that he currently allows snowmobiles to cross the property in the winter and he lets the public use the boat launch, but he has some problems with people abusing the privilege and dumping trash, which he then has to clean up.

Mr. McIntyre explained that since he cannot use these parcels, but they have both wetlands and recreational use, including possible areas for a small wayside park and access to water recreation, the Town might be interested in taking over these parts of the property. Schotanus indicated that in addition to the wetlands and access to Stocker Pond, this piece of property also has historical significance and used to be the Town Fair Ground.

Chair Hocker asked Schotanus about the requirements for current use. Schotanus explained that current use requires at least 10 acres. Schotanus asked McIntyre if this land was in current use now. McIntyre explained that he is taking steps to put the land in current use, but it is his understanding that this could not happen until at least April 2012.

Burgard asked McIntyre to clarify exactly what he is proposing to the Commission. McIntyre explained that he was contemplating putting a conservation easement on at least some of the property, but some areas are pretty much useless to him and he doesn't want to continue paying taxes on unusable property. Burgard explained that with a conservation easement he would still have to pay taxes on the property, but an easement may lower the assessed value. Mr. McIntyre indicated he would be okay with giving the unusable sections to the Town for conservation and recreation, but he does not have the ability to pay for any surveys to support dividing off those portions of the properties.

Schotanus noted that all of the sections for which Mr. McIntyre is proposing some form of conservation outcome are located in a high priority conservation area as they lie within the boundaries of the Town's prime aquifer. So from the conservation stand point, it is a desirable outcome that they be protected in some way.

Chair Hocker stated that from the Commission's standpoint, there is interest in these areas of the Cote & Reney properties. McIntyre indicated that, ideally, he would like to subdivide these pieces of property off and deed the land to the Town for conservation and recreation purposes, with the understanding that this would reduce his taxes. Also, he indicated the Town would need to provide assistance with the cost of the survey and subdividing the properties.

The Commission discussed the possibility of a subsequent third-party conservation easement to ensure the land is maintained for conservation and recreation purposes. Mr. McIntyre indicated that he doesn't object to the Town putting a third party conservation easement on the lands, but he wants any land he donates to be owned by the Town. Schotanus explained that in this case the

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ideal outcome would be for Cote & Reney to deed these pieces to the Town of Grantham and then the Town would turn around and deal with a land trust, such as UVLT or Ausbon Sargent, to establish a conservation easement.

Chair Hocker stated that in order to take any action, the Commission needs a letter from Mr. McIntyre/Cote & Reney outlining the proposal and the assistance being requested, such as survey costs, and that the letter should include a copy of a map of the affected properties. After receipt of the letter and map, the Conservation Commission can discuss the proposal and consider what assistance they can provide towards conserving these lands. Mr. McIntyre indicated he would get a letter and a copy of the map of his properties to the Commission as soon as he can.

[At this point, Mr. McIntyre left the meeting.]

Shoreland Protection – Grantham Status

Chair Hocker stated that Mrs. Carr submitted an intent to cut plan for the cutting that took place at Rum Brook Plaza. Hocker indicated the plan was already submitted and considered by the Selectmen without opportunity for review by the Commission; however, Hocker was at the Selectmen's meeting and was able to give the Selectmen some input regarding Mrs. Carr's plan. After considering Hocker's input, the Selectmen advised Mrs. Carr that she needs to re-establish a buffer on both sides of the water by planting native grasses, plants, and shrubs that have a high filtration value to help prevent sediment from getting into the river. The Selectmen recently sent out a letter to Mrs. Carr restating this position and indicating the plan would not be approved until this was done. Wood confirmed with Chair Hocker that Mrs. Carr would be responsible for the costs and work to re-establish the buffer.

Planning for Conservation

Continue Planning for Wetlands Inventory project – Next steps

Schotanus asked if there were any updates to the tasks the Commission needs to complete between now and May as a result of the recent technical meeting with Dr. Rick Van de Poll. Burgard and Dixon confirmed that there were no adjustments or additions in the task list and deadlines.

Schotanus asked Burgard to review the proposed 2012 Public Outreach plan. Burgard reviewed her draft Public Outreach plan, which included starting a quarterly Conservation e-newsletter with the first issue going out in mid-January, restarting the monthly Wetlands Inventory poster campaign beginning in February, an Earth Day "clean up" in the Miller Pond Road/Croydon Turnpike area likely co-sponsored by the Blue Mountain Snow Dusters, a number of public walks, including a vernal pool walk in April, a walk to significant wetlands in May and June, and one or more Town Forest properties in July, several presentations about NH natural communities and wildlife in NH, a booth at Old Home Day, posting informative articles on the

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website, and other articles in forums such as *Eastman Living*. She outlined all the foregoing in the context of the calendar year, and included references to events and deadlines for the Wetlands Inventory project.

Burgard also proposed that the Commission consider reprising last year's seedling giveaway in the Spring, as it was extremely popular. She suggested once again spending \$60.00 to buy seedlings from the State Forest Nursery. The Commission all agreed that this was a good public outreach mechanism.

Burgard made a motion to expend up to sixty dollars (\$60.00) from the Conservation Fund for the purchase of seedlings from the State Forest Nursery to be given away to Grantham residents; seconded by Schotanus. There being no further to discussion, the motion was put to a vote.

Unanimously Approved & Accepted

Schotanus suggested that Burgard add to the calendar of events and deadlines a period for the Commission to coordinate with the Planning and Zoning Boards in August to review the proposed drafts of wetlands-related warrant articles so that they have ample time to review all the information. All agreed this was advisable, and Burgard agreed to create a working calendar for 2012 events and deadlines.

Chair Hocker asked the Commission if they all had a copy of Dr. Van de Poll's proposed changes to the timeline and costs for his contract relating to the Wetlands Inventory. Essentially, Dr. Van de Poll is proposing adding \$2,250.00 and amending the calendar such that the completion date goes out to March 31, 2013. He also revised the payment schedule to reduce the amount payable in December to \$1,500.00. Burgard asked if Hocker could confirm whether the \$2,250.00 is really an additional amount or is it stating an amount-certain for what was previously indicated as being billed at \$75.00 an hour. Hocker indicated he believed it was the latter, but he will double check with Dr. Van de Poll. Chair Hocker explained that Dr. Van de Poll has already spent 20 hours on task 7 and has also worked 100 hours that he has not billed because he considers that time a learning curve for the new infrared photographs.

Chair Hocker asked the Commission if there were any more questions or concerns about the revised contract from Dr. Van de Poll. Dixon stated that in the revised contract certain tasks are expanded, including roadside surveys, and queried if this means he will be doing more of these. Burgard stated she thinks he is simply documenting the additional roadside surveys he already completed.

Wood stated that it would be beneficial to see the original contract and compare it against the items highlighted in Dr. Van de Poll's proposed revisions. Schotanus suggested that this issue be tabled until everyone has had a chance to review the original contract budget and compare it to the revised budget. The issue was tabled and the Commission will send any comments and questions to Chair Hocker by December 26th so that Hocker can get back to Dr. Van de Poll later that week.

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Conservation of Lands

Chair Hocker stated that he contacted Stevens Institute of Technology regarding the property they own on Hartshorn Road, which is about 76 acres and was extensively timbered several years ago, to discuss possible conservation outcomes for this property. The person with whom he spoke indicated that she was attending a committee meeting that day to discuss various Institute-owned properties and she would include this one in the discussion. Chair Hocker hopes to hear back from her soon.

With regard to the Hastings property purchased by UVLT in connection with wetlands mitigation for the Town, Chair Hocker noted that the Town has received an invoice from Upper Valley Land Trust for their activities, and it appears that the total amount came in about \$4,000 less than expected, which amount will remain in the Land Preservation Capital Reserve Fund.

Chair Hocker explained that he received the November 30, 2011 financial report that shows a balance in the Conservation Fund of \$35,857.49. He noted that we still owe Dr. Van de Poll a payment, but it was put on hold until the contract amendment is completed.

Chair Hocker reported that while searching the Registry of Deeds for another matter, Burgard came across four LUCT transactions recorded in 2011, which in total should add about \$9,700 to the Conservation Fund. Hocker asked the Town Treasurer to look into LUCT payments and ensure that they are deposited into the Conservation Fund as required.

OTHER BUSINESS – Additional Items

With regard to the timbering in the Town Forest, Chair Hocker indicated that Jeremy Turner advised him that client harvest funds are dispersed the second full week of each month, and that a check for \$2,177.88 will be sent to the Town for the timber harvest proceeds. Turner stated that the total amount received is a little less than expected as the wetness of the terrain prevented them from getting to certain areas where cutting was planned. Hocker indicated it wasn't clear where this money should be deposited. Both Schotanus and Burgard advocated that the money should go into the Town Forest preservation account for funding projects relating to the Town Forest.

Schotanus stated that he has two additional matters. First, he received a letter from the Lake Sunapee Protective Association (LSPA) arising from a meeting they had in late November with representatives from four towns to discuss Shoreland Protection issues. The recommendations coming out of that meeting were compiled in this letter to DES's advisory council, and they are requesting that Conservation Commissions in the state review the letter and consider endorsing it. Schotanus will distribute the letter to the Commission for their review, and each is asked to forward their comments to Chair Hocker by Friday, December 23rd.

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Schotanus indicated his second matter was to make the Commission aware of DES's Environmental News, which is published 6 times a year. He highly recommends that everyone start receiving this publication, and will forward information on how to subscribe to the Commission.

Dixon stated that Bob MacNeil contacted her and indicated that he would like to put some of his land into a conservation easement. Chair Hocker stated that he would invite Mr. MacNeil to the Commission's January meeting to present his proposal to the Commission.

Burgard suggested that it may be beneficial to propose to the Town Administrator that the Commission get a copy of Land Use Change Tax documents when they are initially issued to the landowner, and perhaps also after the Tax Collector signs that payment was received. This will ensure the Commission is aware of amounts due to be deposited in the Conservation Fund, and provide a check and balance with regard to the correct depositing of these funds. The rest of the Commission concurred that this would be a good idea, and Chair Hocker indicated he'd talk with the Town Administrator about this idea.

HAND OUTS

None

ADJOURNMENT

Chair Hocker asked if there were any further business. There being none, Burgard moved to adjourn, and Watts seconded the motion.

The Commission voted unanimously to adjourn at 9:03 p.m.

NEXT MEETING

The next meeting will be at 7:00 p.m. on January 16, 2012, in the Jerry Whitney Memorial Conference Room.

Respectfully Submitted,
Jessica Smith
Grantham Conservation Commission, Clerk