

Candia Conservation Commission
Approved
Meeting Minutes – September 16, 2008

Present: Chair Ed Fowler, Vice-Chair Betsy Kruse, Tom Giffen, Dennis Lewis, Judi Lindsey, Richard Weeks, Ellie Davidson, Debra Levesque. Guests included Michael Lambert representing Eric C. Mitchell & Associates, Inc. and David and Gwen Paprocki, landowners.

The regular meeting was called to order at 7:02 p.m.

Regular Business

The meeting opened with Dave and Gwen Paprocki and Michael Lambert updating the committee on the wetlands issue regarding their site plan for the Fieldstone Lane property. Mr. Lambert stated that he met with Frank Richardson from DES in Portsmouth who stated he would grant relief to the condition of the original subdivision wetland approval for building the road (Fieldstone Lane) which specifically stated that no further impact be caused by driveway, building or septic system. He stated the original plan was not done correctly and they did not map all the wetlands on the site so the Paprockis didn't know that their lot was going to be cut in half when they purchased the land.

Lambert also explained that they can fill this wetland and they would not be dividing a wetland system in half because they are just covering the top. These are degraded wetlands and they are not losing anything of great value.

Also, since the plan is under 3000' square feet, they can apply for an expedited minimum impact permit. Mr. and Mrs. Paprocki stated they would like to continue this process with the support of the Conservation Commission. They presented the commission with maps and photographs showing the topography of the lot. Dennis Lewis noted that he had visited the site and did not have any concerns regarding the off-site drainage. Discussion followed regarding concerns of abutters. It was the opinion of those studying the proposal that those concerns were unsubstantiated.

A motion to accept an expedited minimum impact plan for the proposal on this lot of the Paprockis was made by Tom Giffen and seconded by Dennis Lewis. Motion carries.

Pat Larkin was introduced as the new secretary for the CCC.

Minutes of August 19 were reviewed with the following revisions: Under those present, remove "Selectmen's Representative" and the comma after "Tom" and correct the spelling of Giffen. A motion was made to accept the minutes as amended by Tom Giffen and seconded by Betsy Kruse. Motion carried.

It was decided that Pat would correct said minutes and continue to mail copies of meeting minutes and agendas to the CCC members. She will also correct the CCC contact list and mail corrected copies to all members.

Wetlands Permit Applications - There were no applications to review.

Land Use, Wetlands, Enforcement Issues, Planning Board –

Judi Lindsey reported that Jack Munn will be attending the next Planning Board meeting to talk about CIP. The Board of Selectmen has been invited to attend this meeting.

Correspondence -

Ed Fowler reported that Bear-Paw is hosting a Hawk Watch this Saturday at 8:30 a.m. at Pawtuckaway State Park for anyone interested. He also distributed a number of fliers with information about upcoming lectures and seminars for anyone interested.

Selectmen's Assistant Dawn Chabot sent an email requesting that meeting agendas be sent to webmaster Joe Miele 2 to 3 days in advance to allow him time to get them entered onto the website.

Budget Update/Approval of outstanding payments/invoices –

Ed reported for Dick Snow that there is a projected deficit for clerical expenses but funds are available in other sub accounts to cover this expense. There is an expected overage of approximately \$750 at the end of the year. It was noted there was nothing in the budget for the education at the NH Association of Conservation Commissions annual meeting and that expense would come out of the \$750.00. Ed reported that he had attended the BOS Budget meeting and informed them that the CCC is expecting to cut their budget request by \$500 from last year. The proposed budget to be presented to the Budget Committee for 2009 is \$2,400.00.

Conservation Commission Website –

Ellie Davidson asked if it were possible to have trail maps on the website. Judi stated that there is information about trails but no maps yet. It was agreed that trail maps should be added to the website.

Lamprey River Watershed Association –

Chairman Fowler reported for Dick Snow. The Board of Directors meeting was held on August 18 and minutes from that meeting were shared with the commission.

The Lamprey River Watershed Association has walked 42 of the 47 miles of the river mapping storm water outfall points (where storm water runs into stream), removing debris from storm drains, and mapping and reducing nitrate contributions.

Old Business

Conservation land/easements(s) acquisition status –

Selectmen still have not reached a decision to approve letting the town have a say in the decision on the Sanders conservation easement. The next meeting to discuss this issue is September 22. The BOS have not confirmed they will come to a decision at this meeting. Discussion ensued regarding a presentation for said meeting. The CCC feels clarification would be helpful. The wording of the motion should be "The selectmen agree to support the idea of the town holding an executory interest in the Sanders conservation easement."

Choice 1: The Board of Selectmen can support the purchase of development rights at a bargain sale in order for the town to obtain executory interest that would best allow the town to benefit from the transaction.

Choice 2: Per the RSA, a check gets written without the town having a say in the matter.

It is in the best interest of the town to support this purchase. This piece of property connects to and would enlarge a corridor of open space. It fulfills the goals of the existing open space plan, which in turn fits integrally with the town master plan. Support of this purchase conforms to the town Master Plan.

It was decided not to formally request to have the Sieminski property added to the agenda at this time.

Liquid Planet easement was discussed. Commission has not received the management plan and baseline report that was requested from Kevin Dumont. These need to be reviewed before the CCC can sign off on the easement.

Chairman Fowler reported that we have not been reimbursed the \$50,000 plus by the Natural Resource Conservation Service for the Sanborn easement. It is expected to come to the general fund account and be transferred to the conservation fund. It was suggested that when it is received, a public announcement be made. Judi agreed to work on this. Details have been tabled until the money is received.

Bear-Paw status report –

Betsy Kruse reported that a round table discussion is scheduled for December and will focus on the conservation plan Bear-Paw has developed for the region. Also, a new member event is scheduled for October 11 and new members will be invited to the board meeting along with a scheduled walk. It was noted that the Isinglass River project event was a grand affair attended by many of the states politicians.

Chairman Fowler thanked Betsy for her work in rebinding the Bear-Paw Conservation Plan and encouraged everyone to look through this very informative natural resources plan. It was noted that the beginning executive summary was especially interesting.

Forest Management Activities –

The CCC received 13 signs to be posted at town conservation areas. We need to identify the conservation areas needing to be marked. Once this is done, Dennis Lewis will install the signs. Previously, Jim Franklin had volunteered to survey these properties free of charge. Discussion ensued about which property to work on first. It was decided to begin with lots 412-003 and 412-004 consisting of almost 64 acres on Hemlock Drive. Jim Franklin can survey and identify the perimeters of said lots and then Charlie Merino can do a forest management plan on that area. A motion for Ed Fowler to contact Jim Franklin to survey lots 412-003 and 412-004 was made by Judi Lindsey and seconded by Betsy Kruse. Motion carried.

Commission Properties Access Planning and Requests – There was nothing new to report.

Open Space Subcommittee

Judi reported that they met last night and are working on the next newsletter. They are discussing having links put on the website showing the various sites in Candia along with maps and other information. They will continue to work on this project and also would like to have copies of maps available for residents around town. We looked at a number of fliers and booklets from other towns that gave us many ideas for what we could use to make a Candia Conservation Land informational booklet/flier. Judi showed a sample of Derry's Conservation Commission flier for quick information and offered to make a rough draft for Candia over Christmas vacation. Discussion continued about the need to get the information out to the residents because many people don't know we have town owned property with trails. Tom suggested having a link from the town website tabbed as "Recreation in Candia" with conservation information for those people who don't go to the CCC website.

Management Plans for Town Land – There was nothing new to report.

New Business

Proposed Riparian Buffer Ordinance –

There is nothing new to report. More information will be available after the next meeting of the Zoning Revision Committee on September 24. Tabled until next meeting.

Future Goals/Vision of CCC –

The future goals based on the 2000- 2002 Candia Commission need to be updated. Tabled until next meeting.

Prime Wetlands Study –

The commission discussed having a professional prime wetland study done. It was determined they would need to get 2-3 proposals to start the process. It was noted that the Bear Paw Comprehensive Conservation Plan would be very helpful to whoever is looking to bid on the study.

SB381

Chairman Fowler reported on an announcement made by the NHACC regarding SB 381. NHACC Conservation News Bulletin states:

“Changes to RSA 36-A: NHACC, the Forest Society, The Nature Conservancy, the Local Government Center and others have been working together to find the best solution for clarifying whether it is lawful for a conservation commission to make a donation to a land protection project without taking an interest in the property.

SB 381 adds language to RSA 36-A, which explicitly authorizes conservation commissions to make contributions to qualified conservation organizations, for purchases of property interest and/or transaction costs, in the absence of the town holding an interest in real estate. It also includes language declaring such expenditures to be a public purpose.

The bill requires a one-time town meeting vote if conservation commissions are to make these expenditures. The new legislation also requires a similar, but separate, one-time town meeting vote to authorize the conservation commission to acquire property interest held by the town outside of municipal boundaries.

Once given up-front authority by town meeting, conservation commissions are NOT required to get governing body or town meeting approval before specific expenditures are made (unless the expenditures are for property interests outside of municipal boundaries). The bill does require a public hearing before specific expenditures are made.

The bill has an effective date of January 1, 2009; any existing agreements you have may be completed as long as the contributions happen before the end of 2008.

As a result of this legislation there are two warrant articles that you may want to consider for next year:”

The commission discussed the meaning of this bill and Chairman Fowler read the two suggested warrant articles:

“Shall the town vote to adopt the provisions of RSA 36-A:4-a, I(a) to authorize the conservation commission to expend funds to purchase interests in land outside the boundaries of our municipality, subject to the approval of the local governing body?”

“Shall the town vote to adopt the provisions of RSA-36A:4-a, I(b) to authorize the conservation commission to expend funds for contributions to “qualified organizations” for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?”

A motion to propose a warrant article (1b) using the language read by Chairman Fowler in support of the second half of the SB381 was made by Tom Giffen and seconded by Betsy Kruse. The motion carried.

Deerfield Road Town Forest Sign – Nothing to report

Board of Selectmen Meeting on September 22, 2008 – Nothing to report

Other Business:

Judi reported that her after school activity is making bat bags which researchers who are trying to determine what is making the bats ill use to help handle the bats. She is looking for donations of non-flannel cotton sheets.

Tom reported that the fire department has a fire pond that needs to be restored. Discussed the possibility of the commission helping with this project. This may be a way for the conservation fund to benefit the town in a tangible way.

A motion to adjourn was made by Tom Giffen and seconded by Judi Lindsey. Motion carried. Meeting adjourned at 9:05 pm.

Minutes respectfully submitted by Pat Larkin