



Town of Candia
Conservation Commission
74 High Street
Candia, New Hampshire
03034

January 15, 2013 Minutes (Approved)

Present: Ellie Davidson, Dave Ickes, Betsy Kruse, Deb Levesque, Dennis Lewis, Judi Lindsey, Dick Snow, Susan Wilderman.

Guest: Life Scout Patrick Mun

Meeting was called to order at 7:02 by Chair Betsy Kruse, followed by the Pledge of Allegiance.

Regular Business

Before addressing the regular agenda, guest Patrick Mun was invited to discuss his proposed project. He outlined his proposal to create a new trail in the Deerfield Road Town Forest approximately 2/3 of a mile long running along wetlands with two water crossings, that would provide a different exit than doubling back along the same trail. He also proposed to build an eight-foot long bridge at one water crossing and a sixteen-foot bridge at another. He would also mark the trail using galvanized nails to attach markers to trees that would avoid harming them. In addition he would provide a means to divert runoff from flooding the trail. A large recently fallen tree obstructing the trail also needs to be removed. Old logging trails can be used as the basis for the new trail, requiring mostly clearing of overgrowth versus new cutting.

Betsy Kruse mentioned there is a cart path along the south side that would merge with the new trail near one of the water crossings. Susan Wilderman asked about the feasibility of a different starting point on higher ground, to avoid the wet area, but there are apparently multiple smaller streams that would have to be crossed there. Betsy Kruse asked whether permits would have to be obtained for wetland crossings. Patrick Mun would contact DES to find out. Dick Snow asked if Susan Wilderman could work with Patrick to explore alternative routes. Dennis Lewis suggested diverting the water instead, if it's merely following the old cart path.

Dick Snow moved to approve the project, seconded by Judi Lindsey. The motion passed unanimously. Betsy Kruse asked Patrick to update the CCC on communications with DES. He expects to start the project next summer. Ellie Davidson commented that Bear-Paw should be

notified, as they monitor that property. Patrick will need to get approval from the Eagle Board for the project as well. He is not seeking any funding from the CCC.

1. Minutes of previous meeting (December 18, 2012)

Betsy Kruse commented that she did not recall mention of rescheduling the Pepper and Critchett easement acknowledgements. She also wished to change the wording that Bear-Paw would “probably” hold their next auction at Candia Woods to “possibly.” Further, under Forest Management, CCC voted to purchase the posts for signs from the leftover funds from the Commission’s 2012 budget, not from the Conservation Fund, with any balance to come from the Forest Management Fund. Dick Snow also mentioned there were unapproved minutes from July 17, 2012 on the web site. Mimi Alberu needs to send the approved minutes to Catherine Sangillo. Ellie Davidson questioned whether a neighbor’s concern about Arthur Sanborn’s logging operation should be mentioned; however, she added that this issue has since been resolved. Mark Pepper commented that there is a popular notion that all conservation easements are town-owned, when in fact the landowner retains ownership and still pays property taxes. He suggested this should be clarified on the CCC web site. Dennis Lewis suggested that this misconception may be caused by a misunderstanding of the use of a Purchase & Sale Agreement. Judi Lindsey suggested having a link on the site for frequently asked questions (FAQs). She suggested an example: Q: Does a conservation easement mean the town owns the land? A: A landowner with a conservation easement on their land still owns the land, pays taxes on the land, can cut trees on their land, and can use the land as they wish except for developing it. Mark Pepper volunteered to answer people’s questions based on his experiences.

Betsy Kruse requested a motion to approve the minutes as amended; Ellie Davidson made the motion, seconded by Deb Levesque. The motion passed unanimously.

2. Conservation Land/Easement(s) Acquisition Status
Liquid Planet CE?

The Peppers were present for acknowledgement of their recent easement. Judi Lindsey showed them the new plaque and took photographs. The Commission reiterated their thanks for the Peppers’ efforts to conserve their land.

Dick Snow reported there was no change in status from last month on the Liquid Planet CE. Betsy Kruse stated she had an issue to bring to the Commission; Bear-Paw has asked to have a guest come and request our financial help with a project here in town. She also had some questions about the project, e.g., whether there is some encroachment on the land, and whether there is another project in a more traveled area, with ample road frontage and backing up against significant wetlands. However, this potential project doesn’t seem to have immediate urgency. She added that the proposed project would be in the range of \$50,000, probably much less than the alternative project. She questioned whether we should be proactive in contacting the landowner of the more critical property (in her opinion). Susan Wilderman asked how either project would match up with our NRI map colors. Betsy Kruse replied that the first project is close to the orange and the

other is squarely in the orange (coded as environmentally critical to protect). Susan Wilderman explained that this system is a tool used to help preserve biodiversity – red along streams, yellow near housing, etc. Dennis Lewis commented that the CCC can't be selective, the choice is the land trust's. Judi Lindsey also observed that the money we have is limited; we should look at what they bring to the table and decide whether it's a worthy project. Dick Snow suggested we can still provide limited support, if not the full amount requested. Dennis Lewis added we could help them find other sources of funding if we don't have enough, but said we should try to help anyone who wants to preserve their land. The consensus was to have them come and present the project.

3. Wetlands Permit Applications

There were no applications received.

4. Land Use/Wetlands/Enforcement Issues/Planning Board (Candia Crossing?)

Judi Lindsey reported that the Planning Board would be looking at ordinances concerning excavation and quarrying at their next meeting; Dick Snow remarked there are also two public hearings pending regarding the zoning of the Candia portion of Raymond Sand and Gravel, allowing it to be changed from residential to commercial. Dennis Lewis clarified that there is actually a Warrant Article for this item.

5. Correspondence

Post card from Bear-Paw about their annual meeting on Saturday January 26th, 9 am to 1 pm at Coe-Brown Academy, with guest speaker Mary Holland. Admission for members is \$10 and includes lunch; the raffle after lunch includes Diane Philbrick and Jim Lindsey's book on Candia's mill sites. The meeting will be followed by a moderately strenuous walk at the Boy Scout camp in Barnstead.

6. Budget Update/Approval of outstanding payments/invoices/ Conservation Commission Website (CE's, OSP, posted?)

Invoice from Jim Dimaggio for \$250 for Web site services, dated 2013. Betsy Kruse remarked that we have not signed a contract with him; in the past we have given him an honorarium for his services from funds left over from the budget. She added she thought the invoice was for services provided in 2012. Dick Snow recalled suggesting \$500 be put in the budget but the resulting discussion determined we wouldn't have that much, so he suggested cutting the amount in half. Betsy Kruse thought Jim had indicated he was volunteering his time, although we voluntarily gave him an honorarium at the end of 2011. Most of the work on the site in 2012 was done only recently and there are still some outstanding items. Ellie Davidson suggested inviting him to the next meeting to discuss this issue with him in person. Susan Wilderman suggested drawing up a written list of expectations. Betsy Kruse also suggested asking Jim to add a list of frequently asked questions (FAQs), and Judi Lindsey and Susan Wilderman suggested adding

content from Moore School and Jesse Remington High School student projects. No invoice from Mimi Alberu for services in December.

7. Lamprey River Water Quality Initiatives

Dick Snow reported he attended the PREP conference last month; MS4s are an upcoming issue; Great Bay is impaired, which may impact us, however there has been a court decision determining that storm water can't be regulated. He further stated that we would begin to see the effects of the decrease in the water quality downstream. Ellie Davidson questioned how this would be so. Dick Snow responded that since we are at the headwater of five different systems we would affect those downstream. Susan Wilderman mentioned her classes studying about protecting water quality by increasing riparian buffers along rivers. It's often difficult to pinpoint the source of pollution and to determine when a non-point source becomes pollutant, because nitrogen and phosphorus occur naturally. The main issue involves taking preventive measures versus mitigation of damage, and these measures will no longer be paid for by the federal or state governments. This will result in associated costs at the local level. Betsy Kruse pointed out that a model ordinance prepared jointly with Deerfield was presented to the Planning Board, but it was never presented to the town for a vote. Dennis Lewis added that this action would by far be the most economical solution, especially since the North Branch runs along a commercial/industrial zone at the bottom of a steep hill.

Old Business

1. 1. Bear-Paw Status Report – annual mtg. Jan 26, 2013

See Correspondence above.

2. Forest Management / Plans for Town Land / Stewardship
Downed tree removal? Americorp – bridge over Cons. Area river?

No update from Charlie Moreno. Dennis Lewis did not buy the posts for signs. Betsy Kruse had offered to contact Americorp about reconstructing the bridge over the New Boston Road conservation area. Instead she got a contact name for SCA, Student Conservation Association, NH Corp, based out of Bear Brook in Allenstown. They could do the work, which we would have to pay for, most likely by obtaining a grant. She will also consult with a Bear-Paw Board member who worked with Americorp to do bridge work in Deerfield. She suggested we contact both groups and invite them to come to a meeting in the spring to discuss this project. Dick Snow suggested also inviting Tom Dimaggio, who chairs a state sled dog organization.

Other Business

1. Outreach – Amphibian crossing signs?

Susan Wilderman and her students identified at least eight target locations based on the NRI maps. She pointed out various locations on a map, including Island, Brown, South, and Patten Hill roads, and suggested having one of the students who resides in Candia do a presentation at the next CCC meeting.

2. Upper Lamprey Scenic Byway update

Deb Levesque attended the last meeting; the route is now as originally proposed and will include scenic sites on Healey Rd., North Rd., New Boston Rd., and Critchett Rd. Diane Philbrick was present at the meeting and contributed historic background information on proposed sites. The new draft will include places of interest outside the route and places to eat.

3. Newsletter

Betsy Kruse presented copies of the most recent draft with photos in grey scale. The major change was the edited version of the article on protecting our water resources. There was a discussion regarding the appropriate caption for one of the photos. The decision was to call it a photo of a North Branch tributary. In addition Susan Wilderman pointed out that the article on amphibian crossings should also make note of turtles, which are reptiles. There were also some final punctuation changes. Discussion then turned to the cost for printing 1600 copies. \$350 is the maximum we would like to pay. Dick Snow volunteered to get a quote from New England Duplicator. Susan Wilderman volunteered to get a second quote from Bradford Printing. Dennis Lewis mentioned that the printing would need to be completed shortly after the February CCC meeting. He moved to give Betsy Kruse the authority to approve the expenditure, not to exceed \$350, and print the newsletter. The motion was seconded by Deb Levesque and passed unanimously.

4. CIP report

No change in status at this time.

5. 250th Town anniversary? (Walk to Kinnicum per Eaton Hx?)

No further update at this time. The new 2013 calendars available at the town offices list all of the associated events.

6. Warrant Article to rescind the Conservation Commission

Betsy Kruse read the text of the warrant article submitted by citizens' petition: *Pursuant to RSA 36-A:1, to see if the Town shall vote to rescind the adoption of the Conservation Commission. All funds held by such said commission shall be returned to the general fund of the Town. All future funds from the Land Use Change Tax and any other funds that would be automatically placed in this fund shall instead be placed in the general fund of the Town. All property managed by the Commission will hereafter be managed by the Town.* It was noted that 25 signatures were required on the petition. Betsy Kruse reported that the BOS did not take action to recommend or not recommend this or any other petitioned article. She questioned whether the intent of the article was to return the money in the Conservation Fund to the General Fund, or whether the signers had an issue

with the Commission itself. Dick Snow noted that if the CCC were to be rescinded the money in the Conservation Fund would not be returned to the General Fund. Instead, the BOS would be responsible for expending the money for the purpose for which the fund was established. He further suggested that we contact the NH Association of Conservation Commissions for documentation of this fact and include some information with the distribution of Town Reports. Betsy Kruse suggested compiling a list of talking points, one of which would be the legality of the warrant article. Second would be that the amount of land taken out of Current Use has dwindled in recent times, resulting in a corresponding reduction in LUCT (Land Use Change Tax, of which the Conservation Fund gets only 25%). Third, the CCC is the only official body focused on natural resources; considering the environmental issues we face, our job for Candia is to advocate for natural resources. She will send out an email to her contact list detailing these various points. Mark Pepper commented that we need to educate the general public about the Current Use program, which was put in place by the federal government in 1973 to help farmers keep their agricultural land. All agreed that the best way to address this issue is to inform the voters about the laws and the pertinent facts.

Motion to adjourn was made at 9 pm by Judi Lindsey and seconded by Susan Wilderman. The motion passed unanimously.

Respectfully submitted,

Mimi Alberu
Conservation Commission Clerk