

Conservation Commission

Wednesday, August 2, 2006
Corner Meeting House
Belmont, New Hampshire

Members Present: K. Knowlton, N. Wederski, B. Watterson, G. Wells-Kay
Members Absent: D. Naiva(e), W. Peterson(u), M. Lewandoski(u)
Alternates Present: S. Rolfe
Alternates Absent: M. McLetchie(e)
Staff: C. Daigle, D. Rollins

Chairman Knowlton opened the meeting at 7:02 p.m. He appointed S. Rolfe as a voting member for tonight's meeting.

BOARD'S ACTION-MINUTES:

MOTION: N. Wederski made a motion to approve the minutes of the July 5 meeting. It was seconded by B. Watterson.

The members discussed including action plans in the minutes. G. Wells-Kay said this will target who is responsible for certain things that need to be done. Last month K. Knowlton had said they would send letters to the participants of the town forest work day. He drafted them and R. Ball sent them. B. Watterson asked K. Knowlton if he had made a decision on the gates since the Commission had authorized him to go ahead. He said he has not. He wanted to check out the material found on the Depot Street property to see if they could be used for gates. He said that R. Ball was under the impression that the posts were for a chain link fence. He also got prices from S. Rolfe for the gates previously discussed.

The members voted on the motion and it passed. (5-0)

MOUNTAIN LAKE VILLAGE:

Atty. Philip Brouillard told the members that he has four projects in the same area. They are the Mountain Lake Village subdivision in Laconia and Belmont, a waterline extension and Provincial Park. The Laconia subdivision has been approved and he will be at the August meeting in Belmont. All of

these projects have wetlands impacts. He said that the Department of Environmental Services has grouped all the projects together and want him to do a mitigation plan. Part of the DES regulations is that there is a willing easement holder. He was here to offer the members an easement on fifty acres. Since the land is in Belmont he felt it made sense for them to have the easement. He was hoping since the Commission is interested in conserving they would accept it and become the easement holder. Atty. Brouillard said that he would be giving it to them where other towns have to pay. There will be a homeowners association who would be in charge. K. Knowlton questioned how it would benefit the Belmont Conservation Commission or the Town of Belmont to accept the easement with no ownership. B. Watterson asked if the Commission's land acquisition subcommittee has looked at it. K. Knowlton said they had not. G. Wells-Kay asked Atty. Brouillard if he had presented this opportunity to Laconia. He said he is on the agenda to talk to them about it but since it's in Belmont he felt that they would want to preserve it so he is presenting it to them first. S. Rolfe said he appreciated him bringing it to them first but easements cost money down the road. C. Daigle noted that this property is the open space for the Belmont section so the town will regulate uses on it. K. Knowlton said that the wetlands area should not be impacted no matter who owns it. He told Atty. Brouillard that the members need to discuss it and will give him an answer within a week.

The members had received a copy of a Conservation Easement for Mountain Lake Village from Atty. Brouillard which they reviewed after he left. B. Watterson pointed out one statement that read that "the Grantor reserves the right to conduct forestry and forest management activities for non-commercial purposes on the Property." Another statement reads "if the Grantor fails to take such proper action, the Grantee shall, as appropriate to the purposes of this Easement, undertake any actions that are reasonably necessary to cure such breach." This gives the Commission the authority to enforce but not own it. S. Rolfe said it would be a burden. C. Daigle told the members that it is open space and they will already be responsible for it. The easement would be a duplication. The difference with the easement is that they would be responsible to DES. DES can tell them to enforce the easement. She said that DES is looking at a cumulative effect of all his projects.

MOTION: On a motion by N. Wederski, seconded by G. Wells-Kay, the members voted to respectfully decline the offer by Atty. Brouillard for this easement because they feel the property will be adequately protected under the open space cluster subdivision. (5-0)

Action: C. Daigle will send a letter to Atty. Brouillard informing him of the members' decision.

The members discussed charging fees when accepting properties. C. Daigle said they should not accept any land without a management fee. They're encumbering the town when they accept the properties. K. Knowlton asked how they could come up with a fee without seeing the project. S. Rolfe suggested a per acre fee. C. Daigle said that in most cases there are similar duties such as one inspection a year and cleanup of the property. They could look at the property and note the things that need to be done before they accept it. The income from the fees would be dedicated to the management of properties they own. K. Knowlton said they need to investigate how others charge their fee.

2007 BUDGET:

C. Daigle gave the members copies of the Conservation Commission's budget worksheet. She said she is looking for recommendations on the last three items: Professional Services, Conservation Projects and General Expense. The Professional Services line was put in to cover the cost for acquiring property. K. Knowlton said that it was a nice addition to have and asked if they are justified if they request it again. B. Watterson said that this money isn't carried over. The excess goes into the conservation fund. It may be a negative if the money gets turned back into the Commission, if it gets rolled over. K. Knowlton said they had no idea how much to ask for and hopes it won't count against them if they didn't spend every last cent. C. Daigle suggested they ask to add the \$8,000 into next year's budget since they will have time at the next meeting to cut it down to \$6,000. S. Rolfe asked if the money can be used for a consultant. C. Daigle said it has to be tied to the purchase of a property. It needs to be a specific property that comes in front of them. The money can be used for an environmental study or title insurance for example. S. Rolfe felt that it's an instrumental line item to help them conserve property.

MOTION: On a motion by B. Watterson, seconded by N. Wederski, the members voted to use the salary budget lines as presented. (5-0)

MOTION: B. Watterson made a motion that they include \$8,000 as a request for Professional Services. It was seconded by S. Rolfe and approved by all. (5-0)

MOTION: On a motion by B. Watterson, seconded by N. Wederski, the members voted to accept the amounts for Conservation Projects and General Expense as presented. (5-0)

C. Daigle said that last year the Conservation Commission requested \$25,000 to be set aside in the Capital Improvements Program on an annual basis to purchase open space. She asked the members if they wanted to make any changes, eliminate it, reduce it or increase it. K. Knowlton said that he received many negative comments last year from the budget committee. He felt they hadn't educated the budget committee enough. They made the request once and got shot down so they may want to retract it. B. Watterson said that they may be up against worse this year since there may be a bond presented in March. G. Wells-Kay said they should stay in the public eye and let them know they're still here. B. Watterson said that the reality is that it's not going to fly. So they should decide to not do it this year due to upcoming financial expenditures.

MOTION: On a motion by N. Wederski,, seconded by S. Rolfe, the members decided that they were not going to submit a \$25,000 request on this year's CIP due to the fact that many projects are coming up this year. (5-0)

Action: C. Daigle will draft a letter for the chairman's review stating their decision.

OTHER BUSINESS:**PROPOSED LANDFILL:**

G. Wells-Kay attended the meeting in Canterbury where the Canterbury Conservation Commission made a presentation. They came up with many questions for the Coop to answer. Today there was a press release stating that the Coop has withdrawn their two pending permit applications with NHDES. They extended their contract with the Wheelabrator facility in Penacook.

CONSERVATION EASEMENT MONITORING WORKSHOP:

Chairman Knowlton said he received a call from Roger Hogan who wanted to know if any of the members will be attending the workshop. It is on August 24 at the Gilford High School. He encouraged the members to attend.

TOWN FOREST:

K. Knowlton said that at the September meeting the members could finalize the rules and regulations. S. Rolfe received some information from the Trails Bureau about liability. It includes the applicable state statutes that cover recreational use. He suggested sending a copy to Tioga Estates in response to their concerns.

Action: C. Daigle said that she would send a copy to Tioga Estates with a cover letter.

NON-PUBLIC SESSION:

N. Wederski made a motion, seconded by G. Wells-Kay, to enter non-public session at 9:05 p.m. in accordance with RSA 91-A:3.II.(d). Those agreed were K. Knowlton, B. Watterson, S. Rolfe, G. Wells-Kay, N. Wederski, C. Daigle and D. Rollins.

The members came out of non-public session at 9:29 p.m.

MOTION: On a motion by N. Wederski, seconded by G. Wells-Kay, the members voted to have Chairman Knowlton continue negotiations with a Belmont landowner to purchase his property.

ADJOURNMENT:

MOTION: On a motion by G. Wells-Kay, seconded by N. Wederski, it was voted unanimously to adjourn at 9:30 p.m. (5-0)

Respectfully submitted,

Denise Rollins

