

Conservation Commission

Wednesday, February 7, 2007  
Corner Meeting House  
Belmont, New Hampshire

Members Present: Chairman K. Knowlton, W. Peterson, B. Watterson, D. Naiva,  
G. Wells-Kay, M. Lewandoski(7:15pm)  
Members Absent: N. Wederski(e)  
Alternates Present: S. Rolfe, M. McLetchie  
Staff: R. Ball, D. Rollins, C. Daigle

**PUBLIC HEARING:**

Chairman Knowlton stated that the Public Hearing was called by the Conservation Commission, pursuant to RSA 36-A:5, to discuss the expenditure of \$125,000 from the Conservation Fund to purchase the James Locke Bean Dam property on Tax Map 225 Lot 18 and to hear testimony of the same. He asked if there was any public comment. There being none he closed the public hearing.

**MOTION:** On a motion by W. Peterson, seconded by G. Wells-Kay, the members voted to withdraw \$125,000 from the Conservation Fund to purchase the Bean Dam property. (5-0)

The chairman opened the meeting at 7:07 p.m. and appointed S. Rolfe as a voting member for tonight's meeting.

**BOARD'S ACTION-MINUTES:**

W. Peterson requested that the minutes of January 3, 2007 be amended to show that he had an excused absence. He had notified R. Ball that he would not be able to attend the meeting.

**MOTION:** On a motion by G. Wells-Kay, seconded by D. Naiva, it was voted to approve the amended minutes of the January 3, 2007 meeting. (6-0)

**MERRILL GRAVEL PIT – MAP 242 LOTS 4,8,10 & MAP 245 LOT 17:**

Cory Johnston of North Point Engineering was present for Merrill Excavating to give the members an overview of their project. Merrill Excavating is proposing to expand the Parent gravel pit on Shaker Road. He was at the meeting to inform the members that they will be submitting an earth removal application to the Planning Board. There are several parcels involved: Map 242 Lots 4,8,10 and Map 245 Lot 17. It also has frontage on South Road. The property is owned by Parent Brothers. He said that Merrill Excavating has been removing material from the pit for a number of years and there are approximately 75 acres. They will be maintaining a 50 foot buffer from the wetlands which is a state and town requirement. They have applied for a site specific permit and are waiting to hear about it. They did test pits throughout the site to determine if they hit any ground water. They went down to 504 feet. There are some monitoring wells that were put on the site previously and they can use them to monitor the water table as they go. K. Knowlton asked if there were any plans to reclaim it after. Mr. Johnston said yes and explained to the members how they will be doing it. They have had an environmental assessment done on the property. He also said that the slopes will be stabilized. K. Knowlton asked if they plan on having a fueling site. He told the members they will be using refueling pads and will be as far away from the wetlands as possible. The members told him that this is a concern of theirs.

**DRAFT NATURAL RESOURCE INVENTORY:**

The members decided to postpone the discussion of the draft document of the Natural Resource Inventory again since W. Peterson and G. Wells-Kay have not had a chance to read it yet. They will discuss it at the next meeting.

**CONSERVATION PROPERTIES:****YOUNG PROPERTY – MAP 234 LOT 2:**

Mr. Kevin Sturgeon told the members that they should buy this piece of property since it's the last piece that abuts Northfield and is on the aquifer. D. Naiva said that she walked the property with M. McLetchie and S. Rolfe on January 13. It is pretty much all wetlands. There was a trail from Route 140 into the property with some ruts. They saw evidence of deer scat. She feels it would be a real challenge for anyone to build on. S. Rolfe said that according to Fish & Game the land is classified as a critical habitat. Since the Depot Street property is right across the street they feel that it is definitely worth protecting. The degree of threat they feel is moderate to high. The asking price is \$24,900 and R. Ball said there has been a significant amount of interest in the property. B. Watterson felt that they should move forward in purchasing it.

**MOTION:** On a motion by B. Watterson, seconded by M. Lewandoski, the members authorized staff to negotiate purchasing the Young property. (7-0)

**TOWN FOREST:**

M. McLetchie said that he was concerned about ATV use in the town forest. He said that before the ground froze he saw some ATV tracks and feels they should put up some signs. S. Rolfe said

that the acceptable use sign is up. D. Naiva suggested they put another gate up or rocks where the main parking area is to limit the width of the opening. R. Ball said that he will ask Bob Bennett if he can do this. S. Rolfe said that the opening needs to be three feet.

**DEPOT STREET CONSERVATION LAND – MAP 234 LOT 4:**

The members discussed renaming this property and decided on Tioga River Wildlife Conservation Area. They would like to have a sign put up with the name on it. They would also like it to say on the sign that it is owned and managed by the Belmont Conservation Commission. For the stewardship plan R. Ball said they could use the template for the town forest. The members would like to move the gates back to make a parking area.

**BEAN DAM – MAP 225 LOT 8:**

R. Ball told the members that Mr. Locke's attorney wanted a quitclaim deed. He told them no, that he wanted a warranty deed. He has done a title search and has found a problem. When Walter Duffy originally purchased the property it was bought as 9 separate lots. When he transferred it to the Belmont Mill he only transferred 8 of those lots. One four acre piece was not transferred. That piece is owned by his heirs. There were three heirs recognized when he died in 1953. They have no way to access it since it is landlocked. R. Ball suggested they buy all the other pieces that they know Mr. Locke owns and show the other piece as a separate lot on the tax map as owner unknown. They could take it after three years for nonpayment of taxes. R. Ball said he spoke with Mr. Locke and he hasn't filed the application yet to breach the dam. M. Lewandoski asked how they will be able to access the property. R. Ball said that they can go through the Amily property. R. Ball told the members that there is a right of way through the McKeown property on Farrarville Road and suggested they may want to extinguish it after they buy the property. He said the claim to that right of way is adverse and it would not be useful to the Town as we will have better access over the Grimstone Open Space.

**STONINGTON OPEN SPACE – MAP 211 LOTS 91 & 91.16:**

**MOUNTAIN LAKE VILLAGE OPEN SPACE – MAP 202 LOTS 12 & 15:**

R. Ball told the members that the Board of Selectmen have not accepted either of these properties yet because they have not received the deed to them yet.

**MEMBERSHIP:**

At their January 22 meeting the Board of Selectmen voted to accept M. Lewandoski's resignation as a full member and voted to appoint him as an alternate member. They also voted to appoint S. Rolfe as a full member. R. Ball said that M. Lewandoski has been reviewing the Planning and Zoning applications for the Conservation Commission and wanted to know if another member may be interested in doing it. G. Wells-Kay asked what that entails. M. Lewandoski said that he reviews the applications and writes down any comments or concerns he may have relating to conservation which then get sent to the Planning and Zoning Board members. C. Daigle said that the board members are looking for comments that might be specific to what the Commission is doing. They are looking for something from their perspective or personal knowledge. The members decided to have M. Lewandoski continue doing the reviews if he agreed. He said he would.

**MOTION:** On a motion by W. Peterson, seconded by G. Wells-Kay, the members voted to have M. Lewandoski continue to review the Planning and Zoning applications. (7-0)

**ANNUAL PLANNING RETREAT:**

The members decided to plan to have another retreat this year. D. Naiva said that it's more of a planning session. They need to identify their goals for next year. Also they plan on doing another field trip possibly to the Bean Dam property. They decided to do it in April again.

**STAFF REPORT:**

**CONSERVATION FUND:**

R. Ball told the members that the conservation fund balance is \$278,704. They will be withdrawing \$125,000 shortly for the Bean Dam property.

**OTHER BUSINESS:**

**AQUIFER PETITION:**

R. Ball told the members that they should weigh in on the aquifer petition which will be voted on in March. The petition states:

To see if the Town will vote to protect the town aquifer by re-zoning the existing Industrial Zone to Aquifer Protection Zone in the Aquifer Protection District which is defined as the area shown on the map entitled "Stratified Drift Aquifer in Belmont, NH" that was produced by NHDES from data developed by the US Geological Survey in cooperation with NHDES Water Division dated November 7, 2002, and as amended. Said map is hereby adopted as Part of the Official Zoning Map of the Town of Belmont. The Aquifer Protection District includes the areas delineated as "Stratified Drift Aquifer {Transmissivity ft<sup>2</sup> / day}" shown as ranging from "Less than 2000 to More than 8000". The primary recharge area for the identified aquifer is considered to be coterminous with that aquifer.

W. Peterson told the members that the petition creates only a district but no permitted uses within that district. Trying to regulate it will be hard. It eliminates 80 per cent of the industrial zone. The Planning Board and the Town have taken many steps for water protection. He said they joined in on a joint study with Tilton and Northfield, developed a BMP handbook and a water resource protection handbook. They changed site plan regulations and adopted land management practices. Every application that comes in goes out to independent review for water quality. They work closely with NHDES. The town has constructed an enclosure for our salt. M. Lewandoski agreed that the Planning Board has taken more than sufficient steps to protect the aquifer. B. Watterson said that the petition is way too vague and will be hard to interpret. After much discussion the members agreed to publicly not support this ordinance.

**MOTION:** On a motion by B. Watterson, seconded by W. Peterson, the members voted not to support

this particular ordinance but they do support the concept of protecting the water in the Town of Belmont. (7-0)

**ADJOURNMENT:**

**MOTION:** On a motion by W. Peterson, seconded by B. Watterson, it was voted unanimously to adjourn at 9:55 p.m. (7-0)

Respectfully submitted,

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Denise Rollins

