

Conservation Commission

Wednesday, March 4, 2009
Corner Meeting House
Belmont, New Hampshire

Members Present:	Chairman K. Knowlton, G. Wells-Kay, S. Rolfe
Members Absent:	D. Naiva (e), J. Pike(u), W. Peterson(u)
Alternates Present:	M. McLetchie
Alternates Absent:	M. Lewandoski(u)
Staff:	R. Ball, D. Rollins

The chairman opened the meeting at 7:02 p.m. He appointed M. McLetchie as a voting member for tonight's meeting.

BOARD'S ACTION-MINUTES:

MOTION: On a motion by G.Wells-Kay, seconded by M. McLetchie, the members voted to approve the minutes of the February 4, 2009 meeting as written. (4-0)

ANDREW SANBORN FARM PROPERTY:

Keith Bennett is an abutter to the Andrew Sanborn Farm property. He is interested in becoming a member of the Conservation Commission. He has lived in Belmont for two and a half years and thinks that the purchase of this property by the town is wonderful. He loves the woods and used to be a farmer. He would like to do some community service. Since his property borders the Andrew Sanborn Farm he's been keeping an eye on it as far as people dumping there. He offered to help clean up the trails by getting rid of the slash cut, dead trees and severely damaged trees and would hay the field. He also has a tractor and would be willing to grade the roads as needed.

S. Rolfe told him that the members have not come up with a plan for the property yet. They have discussed several things. K. Knowlton said that their course of action when they acquire a piece of property is to develop a stewardship plan for it. Since they just purchased the property they haven't done that yet. He told Mr. Bennett that they would appreciate any help he would like to give to the Commission and would like to see him become a full member.

LARGE GROUNDWATER WITHDRAWALS:

K. Knowlton told the members that he is discouraged that according to New Hampshire law, all waterways and underground waterways are under the state's control and not local control. R. Ball said that the state considers the water as a public trust and everyone has a right to it. G. Wells-Kay had been concerned after hearing about a property owner withdrawing large quantities of water from his property to sell. R. Ball said that Mr. Gilbert of Shaker Road has submitted a preliminary application to DES. He plans on withdrawing water from a well and truck it off site to a bottling facility. The well is a bedrock well and is not located in the town's aquifer. R. Ball said that Steven Roy of DES has told Mr. Gilbert that the State has never seen that particular business plan work but Mr. Gilbert feels confident that it can work. G. Wells-Kay asked if a large company could come in and buy him out and build a bottling facility but R. Ball said that since the property is zoned rural that can not be done. She thinks the Commission should discuss developing an ordinance that would limit such practices much like the Town of Barnstead has done. This type of regulation could not stand up to a legal challenge because the waters are under the state's authority but it could be a roadblock since people would have to go to court and it would be costly. The members talked about having a worksession to discuss this further. K. Knowlton would like to get in touch with other communities and band together as a group. Instead of waiting for a problem to occur they should look ahead. G. Wells-Kay agreed that it would be better than doing nothing.

STAFF REPORT:**WILDLIFE HABITAT INCENTIVES PROGRAM (WHIP):**

R. Ball said that he sent a letter signed by K. Knowlton requesting a waiver to apply or commence a financially assisted practice within the first 12 months from the date the WHIP contract was signed. He said they needed the 12 month extension because the field office did not provide a design in a timely manner.

TOWN OF EPPING VS. DIANNE GILBERT:

The members received copies of a notice of decision between the Town of Epping vs. Dianne Gilbert dated 1/9/09. The Rockingham Superior Court ruled in favor of the Board of Selectmen stating that they do not have to put the purchase of conservation land on the ballot to voters.

ADJOURNMENT:

MOTION: On a motion by G. Wells-Kay, seconded by S. Rolfe, it was voted unanimously to adjourn at 8:08 p.m. (4-0)

Respectfully submitted,

Denise Rollins

