

Conservation Commission

Wednesday, December 15, 2004

Corner Meeting House

Belmont, New Hampshire

Members Present: Chairman K. Knowlton, N. Wederski, D. Naiva
W. Peterson
Members Absent: J. Peverly(e), M. Lewandoski(u)
Alternates Present: G. Wells-Kay, M. McLetchie
Staff: R. Ball, D. Rollins, C. Daigle(7:50pm)
Others: Jeff Marden, Board of Selectmen Chairman Brian Watterson
UNH Students: Greg Berndtson, Chris Hamel, Ryan Killoran,
Emily Morse

The chairman opened the meeting at 7:05 p.m.

UNH SENIORS PROJECT:

The students presented their wildlife inventory of the Pout Pond area to the Commission members. They did this with a Microsoft Powerpoint slideshow showing pictures of their research and the information they gathered. They also had several maps that they produced. Copies of the written report were also given to each member.

The students surveyed the 512 +/- acres of unfragmented land which surrounds Pout Pond. They did this on foot using a Garmin handheld GPS(Global Positioning Satellite) from late October to late November. The land cover map that they produced showed a rough over-view of what the land looked like. Much of the area is predominantly coniferous or mixed, conifer-hardwood stands. Another map was the habitat co-occurrence map which scale habitat types according to ecological importance and the amount of wildlife they can support. Along the Tioga River had the highest scores due to the variety of plants and animals which are supported by river ecosystems. Also the area right around Pout Pond had high scores.

The upland habitat they studied is dominated by Eastern hemlock and Eastern white pine which is ideal for wintering deer which they did see evidence of by scat and buck rubs. The Tioga River is a very important natural corridor for mammals and migrating birds. While in the field they encountered evidence of several vernal and autumnal pools. Turtles, salamanders and frogs often use vernal pools because they provide a relatively predator free area to breed and grow. The agricultural and field habitats are also very important for a number of species especially birds. They found a significant amount of coarse woody debris, rocky surfaces, and stone walls spread throughout the site which could become sources of cover and food for a number of small

animals such as red fox, white-footed mouse, rock vole and pine marten.

They entered their habitat data into a habitat composition program that compiles a list of species that could occupy a certain territory. Major wildlife species found on this list include: osprey, Cooper's hawk, northern goshawk, ruffed grouse, New England cottontail, snowshoe hare, flying squirrels and bobcats. They did find evidence of white-tailed deer, fisher and coyote. Also wild turkey, pileated woodpeckers, beaver and cottontail rabbit evidence was observed. Their actual sightings included black-capped chickadees, tufted titmouse, great blue heron and an American black duck.

The students said that since this land is ideal habitat for a wide variety of species it should remain undeveloped. Special interest should also be taken in maintaining the travel corridors between and within unfragmented landscapes since these corridors are vital for large mammal species to travel and utilize an array of habitats. They highly recommended that the primary area of concern be the land directly surrounding the Tioga River and Pout Pond since the co-occurrence score for these areas is much higher than the other land in the area.

ORDINANCE RECOMMENDATIONS TO THE PLANNING BOARD:

R. Ball told the members that at the Planning Board meeting on January 13 they voted to put the two ordinances that he drafted on public hearing for January 3.

The changes to the Wetlands Conservation Ordinance add protection to smaller rivers and ponds. K. Knowlton asked if it included intermittent streams. R. Ball said they are not protected by this only streams that run year round. A vegetated buffer of 50' will be added as a buffer zone setback for Water Bodies and Wetland Areas. It also includes that a wetland scientist is qualified to delineate wetland boundaries and prepare wetland maps. The definition of intermittent streams, perennial stream, river and vegetated buffer are added to the ordinance.

K. Knowlton is concerned when someone develops a piece near the river if they can be reminded of the rules and regulations. R. Ball said that the building setback is 50 feet from open water and they need to have an accurate sketch on their building permit as to what they are doing. C. Daigle suggested that someone design a tri-fold handout that can be given out to people who own land along the Tioga River when they come in for a building permit. It could include building setbacks, water quality and vegetation information.

The members then discussed the amendments to the Open Space Residential Development Ordinance. It adds a density bonus which the Planning Board may approve. It would allow up to 20% more building lots for the provision of exceptional public benefits, namely conserving more of the buildable land as open space, provide significant public access to trails or dedicated conservation areas, provide 300' buffer from all building lots to rivers and ponds, or conserve 80% of the prime agricultural soils. R. Ball said that it would apply to anyone developing more than 20 acres. It would be an added incentive for the developer and could be offered to him at the conceptual phase if he meets the criteria. K. Knowlton asked if the Commission should be looking into conservation districts. R. Ball said that the open space residential ordinance is close to it. A section was also added for Open Space Protection. It states that "the primary objective of the Open Space Protection Overlay District is to protect the scenic and rural character of the town, protect the surface and groundwater, maintain natural areas for wildlife and for recreation, and require that development be carried out so as to be visually unobtrusive and environmentally sound to the greatest extent possible, while permitting the landowner to exercise his property rights".

R. Ball encouraged the members to attend the Public Hearing on Monday, January 3 to support these changes.

NON-PUBLIC SESSION (RSA 91-A:3II. (d))

MOTION: W. Peterson made a motion to enter non-public session at 8:50 p.m. in order to consider the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, as outlined in RSA 91-A:3II. (d). It was seconded by N. Wederski and carried. (4-0). Those present and voting were K. Knowlton, N. Wederski, D. Naiva, and W. Peterson. Also present were M. McLetchie, G. Wells-Kay, R. Ball, D. Rollins and Brian Watterson.

The members discussed the purchase of the Badger Dam Property.

Chairman K. Knowlton closed the non-public session at 9:35 pm.

MOTION: W. Peterson made a motion to purchase the Badger Dam Property and assume all costs associated with it. N. Wederski seconded it and was approved by all. (4-0)

ADJOURNMENT:

MOTION: On a motion by D. Naiva, seconded by N. Wederski, it was voted unanimously to adjourn at 9:40 p.m. (4-0)

Respectfully submitted,

Denise Rollins

Non-Public

Chairman Knowlton told the members that he had received an e-mail from Mr. Fay who said he was willing to donate the Badger Dam property to the town for one dollar. They would have to forgive all back taxes and take responsibility for the remaining costs. Then there was a meeting on Friday, February 10th which he could not attend. As a result of this meeting Mr. Fay said that he would be selling the property to Mr. Cal Dunn. Mr. Fay said that he couldn't wait for the town because he was under extreme duress by DES to complete the work. R. Ball thought the Commission still had a chance to purchase the property if Chairman Knowlton sent Mr. Fay a letter stating that the Commission had voted to recommend that the Board of Selectmen approve a request to purchase the property. The stipulations would be that the Board of Selectmen will forgive the outstanding taxes and interest owed by Mr. Fay in the amount of \$15,524.30. Also the Conservation Commission would assume all costs associated with ownership of the property and will use the Conservation Fund to cover any expenses that may occur. Lastly, the Conservation Commission will immediately work to complete the NH DES "Letter of Deficiency – WET 2004-75" dated November 18, 2004 to Mr. Fay for the wetlands issues on the property. The members agreed that they should move forward to try and purchase the property. Chairman Knowlton said that he will e-mail the letter as soon as possible to Mr. Fay.