

CONSERVATION COMMISSION
Boscawen Municipal Complex
February 21, 2023
Final Minutes

Present: Alan Hardy, Chair, Aurel Mihai, Norman LaPierre, Matthew Burdick, and Mark Kaplan

Alternate Members Present: Henry Carrier

Absent: Betsey McNaughten, Lyman Cousens, Jeff Abbe

Staff Present: Kearsten O'Brien, Planning and Community Development Deputy Director, Kara Gallagher, Planning and Community Development Assistant, and Rose Fife, Recording Secretary, Charlie Niebling, Town Forester

Discussion regarding how many members were voting. O'Brien answered 5 members were voting. If 6 members are present, do all 6. O'Brien answered that the Ex-Officio always votes. Hardy stated that they have 4 regular members and the Ex-Officio, therefore they do not need an alternate member to vote. If they have all regular members present, they will vote with 6, including the Ex-Officio.

- Open by Chair at 6:30 pm
- Roll call by Recording Secretary

Consent Agenda:

- Accountant's Report
- 1/17/23 Draft Minutes

A **motion** to approve the Consent Agenda was made by LaPierre, seconded by Mihai, and passed by a unanimous vote.

Old Business:

- Parnassus Discussion – Niebling reported. The property is no longer on the market. If the Commission would like to approach the owner, he will draft a letter on their behalf. Hardy wants the Commission to continue to be informed. A **motion** to have Charlie Niebling, Town Forester, draft a letter to Parnassus on behalf of the Commission was made by Mihai, seconded by Kaplan and passed by a unanimous vote. NOTE: Parnassus is spelled incorrectly in the draft Minutes from last month.
- Natural Resource Inventory- Mihai reported. He has put together a draft that includes the vision, an introduction, goals, and objectives. When he put this together, he was not sure if it should be through the perspective of the town's citizens or the perspective of the Commission. He is looking for help with wording. He added specific dates to give more structure. He tried to incorporate some of the previous objectives. Hardy discussed public feedback received at the Planning Board meeting, regarding the High Street project. The feedback covered how many resources there are there i.e. trees, animals, etc. To date they have received approval for a 4-lot subdivision along High Street. The development that may follow will significantly impact that area. He discussed the impact that will hit Boscawen when the additional housing units come into town. Some of the Bills going through the State pertain to affordable housing. Gallagher wanted it noted that there was an email in their packet from McNaughten for their review. Mihai explained that he will submit a second draft. He will incorporate McNaughten's comments. He would like to keep the objectives to a minimum. Kaplan likes the draft. Reading the Master Plan is difficult. If they added the full layer map to the draft and put it out on a public forum and made it easy

for people to read, he believes it would be a great communication tool. He feels people should understand this now as they are moving forward with growth. O'Brien asked if they wanted to put it up on the website. Hardy wanted to give Mihai time to look through it one more time and bring it back to the Commission. Mihai noted that there are other updates needing to be done. O'Brien noted that Central NH Planning Commission also looks at the chapters. She believed that will have until 2024 for the Commission as they will be working on other items. There will be quite a few changes in the Conservation Chapter. AgCom's Chapter also has many changes. Kaplan thought that the draft is a high value piece. O'Brien noted that they could also add these things into the Master Plan as it comes forward. Hardy believes there is a cemetery on the High Street property that the town has not found yet. Kaplan will check. Hardy believes it is in the gravel pit at the Salisbury town line. O'Brien gave the address as 477 High Street; the old Piontkowski pit.

- Town Forest – Abbe had not yet arrived to give a report. Hardy asked if anyone else had anything to report. None heard.
- Walker Pond – Hardy reported. He did get a message from Web Stout, LLS that he would get out to the town and get the dam pin pointed. They will then be able to get the execution done so the Commission will be the owners of record. The Concord Monitor's news article regarding Walker Pond was discussed. It was thought that the article was more about Webster and less about Boscawen, made it sound like the Select Board was being accused of buying the land and selling it, did not make Webster look very good. It was a poor reflection on the Concord Monitor. Hardy noted that the town of Boscawen will need to deal with access to the pond in the future.

Standing memberships: Hardy discussed the typical memberships, SPNHF and NHTOA and some 5 River. Are there any others they should have as standing memberships? Hardy does not believe they have had a membership with 5 Rivers. It is believed 5 Rivers also played a role in the Morrill Farm as well as John Keagan's conservation land. The lowest membership fee is \$55.00. He would like those 3 to be the standing memberships. Kaplan has noticed that he has not received any of the fund-raising requests that he had previously received from 5 Rivers. They should invite the 5 Rivers Executive Director to come and visit the Commission. The Commission obviously wants to support the Forest Protection Society. Is there a way to work with these organizations to get some value out of the memberships? Niebling proposed an evening information session and to invite every forest and farm land owner in town over 10 acres. People could get their questions answered. Kaplan noted that would allow people to see what their investment into the membership is paying for and thought an information evening was a great idea. Kaplan would be happy to reach out to them. Niebling asked if they included the NH Conservation Association as they are a great resource and sometimes members go to their conference. Hardy asked if the Commission wanted to act on the level of donation/membership to the Society they wanted to do. Niebling noted that their budget has a dues line item of \$700.00. Discussion regarding if the funds could come from the Forest Fund and how much is normally budgeted and spent out. They also have an education line in their budget of \$400 and usually only spend out \$35. They do not typically spend much out of what is budgeted. Hardy answered that the dues could come out of the Forest Account. They must discuss programs any time they do a timber cut. They could put Timberland and Society membership under the Forest account. Niebling will forward information to Hardy. There is a membership dues link on their page.

Kaplan asked if he could reach out to the NH Forest Society for their May meeting. Hardy thought that was a great idea. Mihai wanted to remind the Commission that that in May there are a lot of things happening. Kaplan likes Niebling's idea to reach out to farms and field owners more than 10 acres. Kaplan will run potential dates by O'Brien.

New Business:

- Society for Protection of NH Forests Annual Membership – see above.

- Current Professional Logger Program Status – they received notice as a property owner. Niebling has gone to some of their programs and also hosted these classes. Hardy asked if there was anything there for the Commission. Niebling saw something about safe and efficient use of a chain saw. Hardy noted that if anyone was interested, they have the information. The Commission can pay for the registration fee if it benefits the Commission.
- Legislative bills of interest – House Bill 44. A quick overview of it is if you have a piece of land with a house, and have access to town water and town sewer, you can, by right, put 4 dwellings on that property. It does not say it has to be connected to town water and sewer, just that you have access. It is worrisome if some of these types of bills go through and are turned into law. Kaplan thought that would override town ordinance regarding acreage. Hardy spoke regarding people taking things to the Legislature instead of dealing with Zoning. This would create state wide zoning. Kaplan thought this would take control away from the town and give it to the State. He asked if the Governor’s supporting that. Niebling noted that it is getting more attention due to affordable housing issue. Hardy discussed tiny homes, which they do not have a mechanism for. They approved an appendix at the State Building Board level as they are a built structure. Kaplan asked if there was a roll for the Commission to write a letter regarding the implications if this were to become law. O’Brien noted that AgCom is writing a letter to their town representatives to speak on their behalf. Hardy explained that they do take written testimony. How to understand the Commission’s implications were discussed. O’Brien believed it would depend on what zone the property was in. The impacting conservation easements and wetlands were also discussed. Hardy noted that this is the early stage of the bill developing. There is also a bill that would not allow a town to lobby. NHMA will represent the town. Kaplan will reach out to Lorrie Carey regarding this. When updates come in, they will be sent out to the whole group.

Non-Public:

-

Other Business:

- Planning and Community Development Department Updates. O’Brien reported. Planning Board had an application for a CUP on Sweatt Street. The Commercial Street pit is just changing over the name and will possibly run for a couple more years. They are looking to tear down the house at 145 King Street and put in a 16-unit apartment building. It is not on the historic registry. She sent out a department head review so if the Commission has any concerns, they can submit them or allow Hardy to write a departmental review to submit. Hardy reiterated that the Conservation’s role is advisory. Hardy noted that there is wetlands behind this home in the form of a year-round brook. O’Brien has plans that she can share but have not been posted on the web site. Kaplan noted that the Commission has nothing they can say about the preservation side unless it is related to the wetland. Burdick asked about the historic marker out in front of it. O’Brien shared the maps showing the site plan. O’Brien noted the plans during a nonbinding conceptual showing the apartments will be 2 floors, the bottom floor is 1 bedroom apartments, and the top floor has 2 bedroom apartments. There will be parking in the back. Burdick wondered if they would do a retail space on the bottom floor and residential uses on the top floors, but it doesn’t look like they are doing that. O’Brien said they are not. This property is too far off Exit 17 to put something like that there. Kaplan asked if they could speak about the brook/pond on the plan. Hardy reported that they needed to be 25 feet from the brook. You cannot develop from the edge of jurisdictional wetlands 25 feet per ordinance. O’Brien asked the Commission to make a motion to allow the chair to speak on behalf of the commission to remind them of the setbacks. Hardy confirmed that they do have that opportunity. Kaplan reported that he has resigned from UMLAC. A **motion** to allow the Chair to make the advisement in the departmental review was made by Kaplan, seconded by Mihai and passed by a unanimous vote.

Economic Development. O’Brien reported that she has been working with Ashley Bathgate at Avaloch. They have been discussing having an economic development fair which would include businesses in

town and local farms joining in. That would allow 5 Rivers to participate and have a table there. Northern Rail Trail will also have a booth there. She would appreciate an email from any member of the Commission with suggestions as to who to invite. The fair will be held Saturday, October 14, 2023 from 1 pm to 4 pm at Avaloch Farm. The fair would showcase local businesses and be in an area that has a lot of conservation easements. Kaplan suggested having someone lead a walk from Avaloch to Walker Pond. He also would like to see if anyone would be interested to step up to fill in for UMRLAC. It could be anyone on the Commission or anyone in town. It is good for them to be represented. Hardy explained that recommendations are done by the Select Board. Upper Merrimack River territory is from Northfield to Bow.

A **motion** to adjourn at 7:45 pm was made by Kaplan, seconded by Hardy, and passed by a unanimous vote.

Next Meeting: March 21st, 2023 @ 6:30 pm.

*Respectfully Submitted,
Rose Fife, Recording Secretary*