

CONSERVATION COMMISSION

Boscawen Municipal Complex

February 20, 2024

Final Minutes

Present: Alan Hardy, Chair, Jeff Abbe, Aurel Mihai, Norman LaPierre, Mark Kaplan, Betsey McNaughten, Charlie Niebling, Town Forester and Matthew Burdick, Member ex Officio.

Alternate Members Present: none.

Excused: Lyman Cousens.

Staff Present: Rose Fife, Recording Secretary, Ruth Ashby, Planning and Community Development Assistant, Kara Gallagher, Planning and Community Development Coordinator and Kellee Jo Easler, Planning and Community Development Director

Consent Agenda/New Business:

- Open by Chair at 6:32 pm
- Roll call by recording secretary
- Accountant's Report
- Review Minutes

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

Old Business:

- Turtle Discussion – Josh Megyesy, Wildlife Biologist, NH Fish and Game – Ms. McNaughten reported. Mr. Megyesy can make a presentation in May. Or if he is available, he could present in March. Chair Hardy wanted to keep this on the agenda until we can get a commitment to present.
- Town Forest – Walker Pond Warrant Article Discussion – Chair Hardy reported that they have the draft documents and the Select Board has signed off in favor. Matt Burdick reported that the document looks in order. Chair Hardy reported that the Conservation Commission will make the presentation. Mr. Kaplan has the last document regarding Walker Pond. Mr. Mihai added that Forester Niebling gave them facts to put into the document as well. Mr. Kaplan asked where he should forward the document. Chair Hardy answered that it should be forwarded to Ms. Easler, Ms. Gallagher, and Ms. Ashby. Any edits should be sent to the Commission and they can get back to him directly. Mr. Abby confirmed that they would reply directly to Mr. Kaplan. Mr. Kaplan will send it out tomorrow afternoon. Forester Niebling asked how they intended to use that document. Chair Hardy was not sure what their opportunity will be at Town Meeting. Forester Niebling asked who would speak in favor of the article. Chair Hardy believes it should start with him. Mr. Kaplan agreed. He also reported that they could use the document as talking points of their proposal. They could also have it available at a table for the public to take. Mr. Burdick asked if there would be a presentation including photos of the pond showing what the Commission is trying to do. Visuals vs. speeches. Mr. Abbe explained the goal at Walker Pond is to develop a water recreation spot. Mr. Kaplan added that the money received is to maintain the land used by the public. Every parcel is different but the goal is to maintain it for public use and conservation. Chair Hardy is keeping his focus on Walker Pond. Forester Niebling suggested a well thought out presentation; possibly have a few people in town that are not part of the Commission and understand the value of Walker Pond as a resource and how they use the town forest management funds. His point was to find out who was going to speak to that. Mr. Abbe has a list of people for

the LUCT discussion. Mr. Mihai asked if it would be helpful to have a visual component, i.e. a dozen or so pictures to flip through as they are talking. He can put it into a power point; photos of Walker Pond. Ms. Easler can also have something there at her table during voting. Chair Hardy asked if they would like to have that document at the voting booth area? The Commission would. Ms. McNaughten thinks the Walker Pond Forest is different than the other two Forests. Chair Hardy felt that the opportunity to talk to people is worth their being there during the day. He would like to break the day up to be there with the document so they can answer any questions.

- Town Forest - Update/Discussion New Business: Mr. Abbe had nothing much to report other than down sticks and branches due to weather. Mr. LaPierre reported that there were three trees down after they crossed the bridge. He had some trouble dragging the trees out of the way. The best way for them would be to cut the tree on the left-hand side of the trail. They would like permission to remove one tree. A **motion** to remove one tree from the left side of the trail on the Snowmobile Trail/Hardy By-Pass trail was made by Mr. LaPierre, seconded by Mr. Abbe, and passed by a unanimous vote.

- Review Appointment Application and Interview – Gary Tillman. Mr. Tillman would like to be a member. He believes in conserving natural resources. Mr. Abbe asked if being on multiple commissions would be an issue. He listed off the committee's/board's he is on: AgCom, Planning, Budget, Old Home Day and Energy. Mr. Tillman moved here 5 years ago. Mr. Kaplan asked if he had something, in particular, he is interested in. Mr. Tillman answered that he is interested in the Town Forest and Walker Pond and its renovation. Ms. McNaughten asked Chair Hardy if they were voting for members or alternates? Chair Hardy answered that they still have an alternate position. Ms. McNaughten asked if Mr. Tillman would be an alternate or a member? Mr. Hardy answered an alternate. A **motion** to approve Mr. Tillman as an alternate member was made by Mr. Kaplan. Chair Hardy clarified that this motion, if passed, would bring this recommendation to the Select Board. Mr. Kaplan agreed that was what this motion was intended to do. Ms. McNaughten seconded the motion and it was passed by a unanimous vote. Ms. Easler will take that recommendation to the Select Board in March. Chair Hardy wanted to coordinate that two of them go. Chair Hardy asked Mr. Abbe if they could go the following Thursday February 29, 2024.

- Update Rules of Procedure to include Utilization of Town Counsel Policy – Kellee Jo Easler reported. They are updating all rules and procedures for commissions and boards. They have put a policy in place on utilizing town council. She gave a copy of the procedures to the Commission. Ms. McNaughten asked who their town attorney was. Chair Hardy answered the firm is Upton & Hatfield. Mr. Abbe asked if this was the procedure they needed to go through now. Ms. Easler answered that someone would have to come to her to fill out paperwork. #7 under Article V, under meetings, is where they put it and added a revised amendment date and an area to sign it tonight. A **motion** to adopt the new update was made by Mr. Mihai, seconded by Mr. Abbe and passed by a unanimous vote. A **motion** to authorize the Chair to sign the Updated Rules of Procedure was made by Mr. Kaplan, seconded by Mr. Mihai and passed by a unanimous vote.

- LiDAR Discussion – Matt St.Onge wondered if this is a tool the Commission should use. You see on the LiDAR image what nature and people have done to the ground. It may be interesting to do some LiDAR research. Ms. McNaughten reported that it can be found on Granite View. The gray imaging is neat as you can see stone walls, cellar holes, etc. Chair Hardy added that it appears to be a new tool they can take advantage of. Mr. Kaplan asked how it would get paid for if they wanted to use it. Perhaps the historical group may be interested.

- Petitioned Article LUCT Discussion – Chair Hardy explained that the Petition Article goes through a different process. Forester Niebling explained. The change from 100% of the proceeds of the Land Use Change Tax to 0% implies two options. One is that the Commission wants everything. Two is they are willing to negotiate. This was heavily discussed in prior years. What is the Commission's job? Mr. Kaplan answered to make the strongest case they can make to have commission keep 100%. Chair Hardy asked if that means that petitioner is going to present the case? He added that Forester Niebling did some research that really tells the numbers. Forester

Niebling did research on the tax impact. If you rescind 100% and return the money annually to the General Fund to offset tax burden, the impact is (he went back to 2014) an average of \$28,227.00 a year. If you assume the 10-year average is indicative of what it would be, the impact on a total assessed value is \$516,585,081. Is protecting the view across the Morrill field etc., from what would be 300 homes worth \$16.39 a year. If the argument is presented that way it is probably worth that to them. They have only spent money from that fund 3 times and it has benefited the community. This is not the Commission's money; it belongs to the community. The Commission is caretakers of it. This is not a nest egg for the Commission. Chair Hardy has difficulty when we say this is 'town money'. That leads to 'we can take it out of there'. Forester Niebling wanted to say it belongs to everyone. Ms. McNaughten added that it is dedicated for conservation use. If it is absorbed into the town budget, they will never get it back.

Forester Niebling would like to see a nice simple, straight forward document, with colored photographs of Walker Pond, Morrill Field, and the Trail Head as evidence of the investments made. Facts about money spent and how it is spent and how it impacts their taxes. He believes some information should be handed out during the town meeting. Mr. Abbe asked if they should be residence of Boscawen? Forester Niebling thinks they should be residents of the town. Chair Hardy needs to do slides and hand-outs. Mr. Kaplan offered to help however he could. Ms. Easler will set up a laptop and copies. Chair Hardy asked if they could work in a sub-committee? Ms. Easler answered they could work in sub-committees of three. Bring back anything at the next meeting that they talk about. Mr. Kaplan will volunteer to be on that sub-committee. Forester Niebling will be happy to help. Mr. Mihai offered to help. They will pool together the information and then have a plan i.e. the slides, and a line-up of people to talk. They need someone to be able to facility the speakers. Chair Hardy asked how much discussion has the article has caused. Mr. Burdick answered that there has not been a lot of discussion amongst the board. They did get a petition with all the signatures required (25 required, received 28). The sub-committee will consist of Mr. Mihai, Forester Niebling, Chair Hardy and Mr. Kaplan. Mr. Abbe will help where he can. They will be set up at a table during voting, which is in the library.

A **motion** to adjourn at 7:57 pm was made by Mr. Kaplan, seconded by Mr. Abbe, and passed by a unanimous vote.

Next Meeting: March 19th, 2024 @ 6:30 p.m.

Respectfully submitted,
Rose Fife, Recording Secretary