



TOWN OF NEW LONDON, NEW HAMPSHIRE

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DRAFT Minutes of the January 18, 2012 Conservation Commission Meeting

MEMBERS PRESENT: Bob Brown (Chairman), Rick Anderson, Dan Allen, Andy Deegan, Terry Dancy, Laura Alexander, Sue Clough, Peter Stanley (Zoning Board Administrator), Candice Whitney (New London Resident), and Beth McGuinn (Land Protection Specialist, ASPLT)

MEMBERS ABSENT: Emma Crane, Bob Crane (Webmaster), Ruth White

Chair Brown called the meeting to order at 2:00pm and gave the floor to Ms. McGuinn who would make an easement presentation to the Conservation Commission.

Ms. McGuinn distributed some handouts and explained that the property being discussed was on Farwell Lane extension and was one parcel that was noted as worthy of protection in the Master Plan. She wondered if the portion they are considering is still desirable to the Conservation Commission. Chair Brown clarified that on their list of desirable lands, they had the land she is speaking of split into two parcels. He wanted to know if it was just the 18 acres that was being discussed that day. Ms. McGuinn agreed that this was the parcel she was speaking about. There is a right of way to the parcel that they are considering the conservation easement on but has no road frontage except on I-89. Ms. Alexander said that she had been contacted by the owner previously and had walked the property with him. Ms. McGuinn noted that there was no exact footage on I-89 available as no survey had been done. It is about 10.7 acres that would be included in the easement.

Mr. Stanley retrieved a tax map to get a better picture of the property. Chair Brown asked how the parcel could be accessed. Ms. McGuinn said that it couldn't be except by the right of way. It would not be posted but the neighbor's could get there or others could if the neighbors' land was not posted. Mr. Stanley said there is a right of way from Farwell Lane. He said if they look at the deeds over time, the right of way that the owner has in mind is not actually a right of way. Ms. McGuinn said that more deed searching would be required but that wouldn't be done until the project has gone further.

Ms. Alexander asked if this easement would be donated to the Town. Ms. McGuinn said that it would be, and would include the appropriate surveying as well. It would be a no-cost conservation easement. Since this property is only a portion of the property that the Conservation Commission had listed as a parcel of interest to conserve, she wanted to know if they were still interested in the parcel. She wondered if they would keep the parcel on their desirable list.

IT WAS MOVED (Dan Allen) that they would go along with the idea of having a conservation easement on the property in question.

Mr. Stanley said he would caution that if they were to accept the parcel, they shouldn't make a big announcement about it to the public, as the part that they really wanted to conserve was the ridgeline. Someone will surely build a home above the ridgeline. He said there was no development potential otherwise. Chair Brown asked what the risk was. Mr. Stanley said that the risk is that they haven't really accomplished anything by protecting this particular piece of land. It isn't really benefiting anyone at this stage of the game because it can't be developed anyway. It is so steep that it could not be stood on and there was no right of way to it.

Chair Brown asked if they didn't accept the easement, the only thing that would happen was that the owner would have to pay more taxes on it. Mr. Stanley said that if they accept the easement, it is very probable that someone will build a big house right above the conserved land, which will make people wonder why they even bothered with the easement in the first place. He felt that by accepting this easement they would actually be helping the owner develop his land. He said he wouldn't let anyone know that they had anything to do with the easement, should they accept the conservation easement. Ms. McGuinn said that the owner doesn't plan to take a tax deduction on the easement. Mr. Stanley said he didn't understand why this easement was being offered then. Ms. McGuinn said that many times they are not privy to the reasons why people offer these types of easements. She said it isn't the highest value conservation land she has seen and they wouldn't be able to put a trail on it. She was simply there to ask if this portion of the lot was still considered of value to the Conservation Commission.

Chair Brown said that if they say, in spirit, that they support the easement, what would happen next. Ms. McGuinn said that their response will be taken into account when the question is asked "Is the property of interest to the Town." Ms. Clough asked if the priority was on the entire property. Mr. Stanley said that it was the entire property, which included the ridgeline. Ms. Clough thought that maybe the parcel would not be a priority if it didn't include the portion they wanted. Mr. Stanley said that it could accomplish an environmental goal but not a conservation goal, which would be to protect the view shed.

Mr. Allen said he has seen homes built on steep slopes before. Mr. Stanley said that this is not something they allow in New London per their zoning ordinances.

Ms. McGuinn said the two separate parcels will stay together in all likely-hood regardless of their being a conservation easement or not. In the corner where there is some wooded area, they could harvest wood and actually have done this in the past.

Chair Brown asked what the easement would restrict. Ms. McGuinn said it would allow for forestry, conservation and agriculture, and could include buildings for these reasons. She said it was a standard Conservation Easement. Chair Brown said that this parcel, with the adjustments being made here, was pretty low on their list of desirable properties. They may not want to make a big announcement about acquiring the parcel. However, if it was found out that someone was willing to give them a free conservation easement and passed it up, people would not understand why. Ms. McGuinn said that wasn't the decision they were being asked to make. She wanted to know if it was of interest to them because they are adjacent to other conserved lands.

Mr. Stanley said they should think about it if the house was already built; would they still want to put an easement on that segment of land? The owner has had problems selling the lot in the past as water was difficult to get to due to it being on the top of a rock.

Ms. Alexander didn't believe that the property being offered was no longer high on their desirable property list. Mr. Deegan asked if LSPA had been consulted. She said they had not. Mr. Stanley said that runoff from the property would go into Herrick Cove Brook. Mr. Deegan said heavy logging could impact the brook due to heavy siltation.

Chair Brown asked if their answer was "no" what would happen. She would bring that answer to the lands committee and it would help them decide whether to go forward. She was simply looking for information to bring to their lands committee to take into account.

Ms. Clough said that because it wasn't the entire parcel, it would no longer be a priority. The view would not be protected, or anything else. This was the same stand that Ms. Alexander had. Mr. Allen encouraged Ms. Clough to make a motion.

IT WAS MOVED (Andy Deegan) AND SECONDED (Sue Clough) that the proposed project, as listed, not including the developable lot, is not a priority of the Conservation Commission.

Mr. Anderson agreed that there was some value in the easement but it was not a priority of the Conservation Commission.

A vote was called: THE MOTION WAS APPROVED UNANIMOUSLY.

Chair Brown said he was contacted by a realtor regarding an approved three-lot subdivision on Balsam Acres. At one time there was talk of a conservation easement on that property but it never came to fruition. He wanted the Conservation Commission to be aware of this. Mr. Stanley said he walked the property and found that two of the lots were very nice even though they included some wetlands.

Philips Preserve

Chair Brown said they submitted budget requests to cover the cost of this easement for the following year. Mr. Denning said he went out there the other day and he would be presenting this to the lands committee soon. It is contingent on legislation passing and it passing at Town Meeting. He hopes to gain a good level of support at Town Meeting by bring about early awareness.

Low Plain

Chair Brown said that the Governor's Council voted in favor of ... He wants to know some history of the parcel. The 67+/- acres was comprised of multiple parcels. The last to come to them was about 12 acres with five house lots associated with it. This was purchased from the Buker family around 1996. Prior to that the acreage came from three purchases from the same family in the 1970's. They included wetland lots predominantly, which helped to make up the marshy area. The piece where they park cars was purchased in 1993. Mr. Stanley said there is no title history on it; they just bought lots. They don't have a warranty deed, hazardous waste assessment, etc.

Mr. Deegan said they were going to amend the old easement to reflect the addition of the newest piece but it was found that the old language was pretty loose. He didn't think the language that comes up for this easement will be any different than Messer. The State would draw up the document.

Minutes from December 21, 2011

Chair Brown said under "Trails" it says they spent about six hours on the project and it was unpleasant. He meant to indicate that the working conditions and the weather were unpleasant.

Also, when noting the Messer Pond Trail it should say they put up the trail sign and the Ausbon Sargent squirrel sign.

Under "Mail" Mr. Stanley referenced "LSR" which should be clarified as "Legislative Service Request."

IT WAS MOVED (Laura Alexander) AND SECONDED (Sue Clough) to approve the minutes of December 21, 2011, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

Chair Brown said that at the last meeting they saw the presentation from Clayton Platt for the Low Plain forestry plan. He had hoped that everyone had a chance to review the plan. He thought they should put together a plan with some people who would be willing to come up with a proposal. Mr. Stanley suggested that there should be some up-front plan for the revenue as it will get lost in the general fund. If it can off-set revenue that would otherwise come from taxation, for the calendar year in which the harvest would take place, that could be considered. They would need to decide if the revenue would stay within

conservation, or the Conservation Fund (this would need to be agreed upon by the Board of Selectmen.) This would be small sums of money; maybe a few thousand dollars. The first cut would be enough to shape up access roads and infrastructure as they did at the Philips Preserve. He strongly suggested they have a plan. Chair Brown said that it would be nice if they could keep the revenue within Conservation but he didn't think this would sit well with others within the town's administration. He thought perhaps a 50/50 split of the funds would be a more palatable suggestion. Mr. Stanley offered that they might be able to have a portion of the funds go into the Conservation Fund. If they could show that this fund was used for things such as purchase and sales agreements, etc. perhaps a 50/50 split would work so long as the Conservation Commission managed the projects themselves.

Chair Brown asked who would be available to work on this. Mr. Stanley said he would be willing to work on it in his own time. Mr. Allen and Ms. Clough said they would also be willing to help. Chair Brown said he would help as much as he could.

Mr. Stanley said that they should proceed by getting the final document from Mr. Platt, which would include the maps. His recommendation was to do some harvesting fairly soon and to harvest within the tenants of the plan. They should re-cut the access road out to the limit it was originally cleared in a manner to allow for easy bush-hogging. It might be possible to improve the road to allow trucks to get out there. The better access to the property, the better it is as they could get more money out of it. He said they want to tread lightly on the north side of the Davis Path side of the wetland. They don't want to make a mess in that area. Perhaps Mr. Lynch, an abutter, would allow for the use of his roads near the property. He indicated that they need to manage the forest correctly to encourage the beaver to stay and maintain the dam. Chair Brown said he could invite Mr. Platt to attend the next meeting.

Mountain Road & Laurel Lane

Mr. Stanley said that someone should take a walk in these areas to see if there was any need of a forestry management plan.

Budget

Chair Brown said he hasn't heard anything since submitting their budget. The Selectmen have developed the budget on their side and will hand it over to the Budget Committee to most likely be further reduced.

Invasive Species

Mr. Anderson said he met with Mr. Lee who recognized that the Japanese Knotweed was a problem. He mentioned that the State has done some trial treatments but knew no contact names or results. He did some research, himself but found nothing published on it. Mr. Anderson said it is complicated for Public Works departments to get involved due to needing certain certifications and approvals to use herbicides. People would need to be trained and supervised to work in certain areas. They talked about the private vs. public approach. The Japanese Knotweed is in the ditches and roadsides and has no problem with private property owners working in these areas should they wish.

Mr. Anderson said that Japanese Knotweed tends to like moist areas and thought the Lakes Association had some volunteers who could make some progress. He suggested starting an "adopt-a-patch" program to get more awareness and help combating the problem with Knotweed. He said that with herbicides, a professional would be required to deal with large patches. It is a multi-year sort of thing as the plant's resistance must be reduced enough for it to be eliminated. He thought that homeowners can hand-pull and paint the stalks with the herbicide, and that some outreach could be made to suggest homeowners get professionals in to take care of their patches of the weed.

Chair Brown asked how much homeowners could do with regards to applying herbicide without needing a license. Mr. Anderson said that Round-Up Pro is diluted before use and Rodeo is used near the water.

They need only read the label on the packaging up to approximately 1 gallon per two acres on their own land. They only need a license if they would be applying the herbicide to crops. He said that Round-Up Pro was the right concentration to treat stems of the Knotweed. They could also inject the herbicide, which is costly and may not be as effective. It is a multi-year project and people have to keep after it and properly dispose of the plant materials. Mr. Allen said that if the small patches can be made part of people's lawns the weed will keep getting cut down and would be taken care of.

Mr. Stanley said that cutting first, disposing of it and letting it come back to a uniform height and then spraying it all at once works best. Mr. Anderson agreed. He said people who recognize the patches want to deal with it and felt it could be a successful program. He added that he would like to get together with Mr. Allen to see where he had identified patches and what he had done to combat them in the past.

Letters

Chair Brown said that he got a request from ASPLT to conduct a Low Plain hike on July 27th. Mr. Deegan said it is their 25th anniversary and they were offering some workshops where anyone could attend.

Trails & Projects

Phillips Preserve

Chair Brown said that he would like to do some clean up at Phillips Preserve where a lot of cutting had been done. Mr. Stanley suggested cutting the whole thing with a brush cutter each year to maintain the area.

Chair Brown said that John Clough came and helped cut again for a couple hours recently. He had mentioned that a few years ago there was some discussion with the hospital about completing a loop around the hospital. They would utilize PSNH's power line right of way. Mr. Denning was involved as well but it fell to the wayside over time. Mr. Denning is still interested in being a partner in the project. Chair Brown said that Bruce King from the hospital gave him some information about why it hadn't been completed in the past. There may be a long-term care facility going into that area should the funding become available to move forward with it. Mr. Dancy said that the loop was considered in an effort to make New London more of a walk-able community. Chair Brown said it didn't seem like it would be a very involved or difficult project to complete.

There was some discussion about logistics of the trail and what needed to be done next to see about getting it going. Chair Brown asked if Mr. Stanley would be available to talk about boundaries should that be needed. Mr. Stanley said he would.

Chair Brown said he sent around some photos of what they have done with the Phillips Preserve clean-up. They had a window of opportunity that allowed them to do so. He called and left a message with Gallup to thank him for doing such a good job. He thought there should be some new signs posted in that area as the existing ones are rotting. Mr. Stanley added they needed a timber harvest to reclaim the view from the top of the hill.

Perambulation of New London/Springfield Town Lines

Chair Brown brought up the issue of perambulation. The Conservation Commission has been asked to help with this, per the Board of Selectmen.

Trail Safety/Water Crossings

Mr. Allen put a cardboard sign hanging from the barbed wire at Clark Pond saying it was unsafe to ski as there were rocks exposed. He found these rocks while skiing in the area himself.

Chair Brown said that at the last meeting they discussed a possible water crossing as part of a cross country ski trail. Per the suggestion of Ms. Hallquist, it would be safest to not promote the crossing of the ice as part of a trail. Should people wish to cross the pond themselves, that is fine. No map of the trail in that area should show the trail extending across the water. This is a common concern mainly by snowmobile clubs. Chair Brown was given a copy of a sign that cautions that a water crossing was coming up ahead. Mr. Deegan said that if there is a sign that says “Trail End” before the pond, people will stop. If they continue, they may. But it is not part of the trail. Chair Brown suggested the text “Caution – Water Ahead”; he has already created a sign saying this.

Trail Grooming

Mr. Allen said that he would like a back-up groomer and give him written permission to operate his own snowmobile to groom on his side of the lake on Clark Pond. The person is W. Michael Todd. He would also groom the trail Mr. Allen does when/if he cannot do it. No one was opposed to having Mr. Todd groom this trail and Mr. Allen’s trail(s) when needed.

Kidder-Cleveland-Clough Trail

Chair Brown mentioned that the Cranes noted some junctions in the Kidder-Cleveland-Clough trail towards Springledge, which needed signs. He would get more information from them to see what needed to be done.

Mail

Planning Board Information

Mr. Stanley explained that Colby-Sawyer College is planning to double the size of their cafeteria. They will eliminate the through road where it is now and move it down behind Lawson and hook it up alongside a road near Danforth. They plan to expand the building towards the North. They will also have some additional offices for student-related purposes on the second floor, but it will not be a full second floor. There are no wetlands involved and the college is planning to come in for their preliminary. The roadway will have an infiltration trench on one side sufficient to take all the water from the roadway and the expansion so there will be no additional runoff to Susan’s Swamp. Mr. Stanley felt this expansion was logical and noted that it was part of the college’s Master Plan.

Mr. Stanley added that there are some proposed changes to zoning coming up as well, having to do with future expansions of Colby-Sawyer College. They are requesting some zoning changes and Mr. Stanley has suggested they work with the Planning Board on these, which they are doing.

Ms. Alexander said that in order to compete with other colleges, they are trying to upgrade their campus. Many high schools have turf fields; Colby-Sawyer does not. Enrollment is increasing and they need to make these changes to keep up with the growth and serve the students they have.

Next Meeting

February 22, 2012 at 2:00pm.

Other

Mr. Stanley wanted to alert the Conservation Commission about two bills coming up which they may want to consider contacting their state representatives about and urging them to vote “No.” One was House Bill 1540 which forbids the State, counties and towns from taking town-owned land and granting conservation easements to non-profits. The second one was House Bill 1545 that would change 36A:4 having to do with the ability to acquire a conservation easement. This was an anti-conservation bill.

With no other business, a motion was made to adjourn.

**IT WAS MOVED (Laura Alexander) AND SECONDED (Sue Clough) to adjourn the meeting.
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 3:51pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London