

SELECTMEN'S MEETING – SEPTEMBER 24, 2008

Minutes are not final until reviewed and approved by the Board.

Review and approval of minutes generally takes place at the next regularly scheduled meeting.

ATTENDANCE

Selectmen Nancy L. Carlson, Bruce L. Tatro, and Deborah J. Davis.

FINANCIAL MATTERS

Selectmen reviewed and approved accounts payable and payroll manifests.

Chairman Carlson called the meeting to order at 6:30 p.m.

PUBLIC HEARING - Moore Nanotechnology Systems, LLC compensatory wetlands mitigation

Pursuant to RSA 41:14-a, Selectmen conducted the public hearing to accept public testimony regarding acquisition of a conservation easement to be placed on approximately 15 acres of forest land off of Safford Drive, within the Town's tax increment financing district known as the Swanzy Revenue Development District. The conservation easement is offered as part of the mitigation measures included in a dredge and fill application for Moore Nanotechnology Systems, LLC filed with the NH Wetlands Bureau. The second public hearing will be conducted on Wednesday, October 8.

Chairman Carlson opened the public hearing at 6:30.

On behalf of Moore Nanotechnology Systems, LLC and landowner 234 Old Homestead Realty LLC, Jim Phippard (Brickstone Masons) presented an overview of the Moore Nanotechnology project, explaining that development on two parcels will have an impact on 1.47 acres of low value wetlands. The dredge and fill wetlands application to NH-DES outlines mitigation measures, including on-site storm water treatment designed to replicate and improve detention features of the wet meadow, and re-location of a drainage ditch resulting in creation of approximately 5,800 square feet of wetlands. The application proposes conservation of a wooded 15.14-acre upland area meant to be the equivalent in functions and values of the mowed, altered meadow habitat. A small pond is located near the center of the upland area, which is 55% uplands and 45% wetlands, according to the applicant's wetlands scientist. The land was timbered approximately 15 years ago. The fourth element of the mitigation proposal is a contribution to the Monadnock Conservancy's bargain purchase of the Johnson easement.

Phippard said that NH-DES and the EPA both have indicated preliminary satisfaction with mitigation package.

Phippard expressed support of suggestions to use the 15-acre parcel as a recreational amenity for Industrial Park workers. He acknowledged that scars from past activity on the parcel detract from its quality as wildlife habitat. Instead of disturbing a natural habitat, proposed use of the parcel for parkland would affect an already-altered habitat.

Phippard distributed a draft conservation easement. He said that the base document is similar to the Mill K flood storage easement. The easement contains a property description, and a list of permissible improvements (items like a trail system, benches, and provisions for parking). Phippard said that the number of parking spaces is negotiable. The easement contains language to state that the landowner will be held harmless, and addresses the expectation of some kind of monitoring or policing by the Town. The draft easement includes language to allow a merger of fee, the intention being to allow the Town to hold the easement and also, if desired at some future date, to take ownership of the land, without extinguishing the easement. Phippard said this idea is undergoing legal review; no case law exists.

Open Space Committee Chair Victoria Barlow testified that OSC members conducted a site walk of the proposed conservation area on September 6, and completed the project assessment. The project received very low rankings for its resource values of natural beauty, active agriculture, and

community character, and low rankings for water quality, recreation/access, and habitat diversity and integrity. Members noted that forests have a cooling effect in locations with a preponderance of impervious surfaces, such as industrial parks and other more urbanized areas.

For these and other reasons, the OSC concluded that the natural resources of the parcel are too limited to warrant protection of the parcel as conservation land. A “habitat island” surrounded on all sides by existing and proposed roads and highways, and located in a part of Swanzey that lacks local or regional conservation value, the parcel continues to heal from former use as a borrow pit.

However, the parcel’s location and marginal quality of natural resources strongly recommends it for an alternative use: The parcel has high potential for public recreation. OSC members envision trails for hiking around the pond, and possibly facilities for outdoor public functions. It also could be a convenient location for school groups to visit.

OSC members believe that Industrial Park workers would benefit from the opportunity to take lunchtime walks around the pond, and that this amenity would further enhance marketability of lots in the Park. The OSC recommended that the Board of Selectmen consider favorably a conservation easement that would allow these and other public recreational uses of the 15 acres.

OSC members voted to recommend Town support for the Moore Nanotechnology Systems LLC compensatory wetlands mitigation proposal, including the contribution to the Monadnock Conservancy for partial purchase of the Johnson conservation easement, and to recommend to the Swanzey Conservation Commission that the Town participate in the conservation easement on the 15 acres in the Industrial Park, and that the Board of Selectmen begin the 41:14-a public hearing process.

Selectmen reviewed Swanzey Conservation Commission September meeting minutes pertaining to the proposed easement. The SCC voted in favor of Town acceptance of the easement.

Tom Bouffard, a neighbor from Wilson Pond, attended the public hearing to gather details of the relocation of the drainage ditch, the proposed rain garden and other drainage features, in order to share that information with the Wilson Pond Association officers.

Regarding the 15-acre parcel, Bouffard recollected collecting pioneer plants from the parcel after the gravel extraction operation had ceased – species included carnivorous plants like sundews and pitcher plants.

Expressing concern about increased levels of visible lighting in and around the Industrial Park, Bouffard asked about the lighting plan for the Nanotechnology building. Bouffard, Phippard and the Board agreed that the topic is a Planning Board issue. Phippard described the full cut-off lighting fixtures and the plan to install timers set to extinguish lights at 10:00 p.m.

Carlson closed the public hearing at 7:02.

CONSIDERATION OF MINUTES – deferred until next business meeting

CONSENT AGENDA

Board members authorized Carlson to sign permits for trapping beavers.

Motion by Davis to approve the consent agenda; second by Tatro. All in favor.

ADJOURNMENT

Motion by Davis to adjourn; second by Tatro. All in favor. The meeting adjourned at 7:10 .

Submitted by

Victoria Reck Barlow
Recording Secretary