

Town of Swanzey, New Hampshire
Conservation Commission Meeting
Meeting Minutes – November 3, 2014

CALL TO ORDER

The regular meeting of the Swanzey Conservation Commission was called to order by Vice Chair Steve Stepenuck at 4:07 p.m. Committee Members Present: Stephen Stepenuck, Wally Smith, Jane Johnson, and Mike Morrison.

ABSENT

Gary Coburn, Robert Goodrich, Ric Dell’Erba, Jeanette Cook

OTHERS PRESENT

Town Administrator Shane O’Keefe joined the meeting at 4:22 p.m.

MINUTES

- Minutes of September 4, 2014 were considered. **Motion** by Smith to approve the Minutes of September 4, 2014. There was a second from Morrison. Discussion occurred regarding correction to the spelling of Barbara Skuly’s name. All were in favor. **Motion passed.**
- Minutes of October 6, 2014 were deferred.

NEW BUSINESS

Honey Hill Access

Stepenuck reported that he and Johnson reviewed the area to be considered for parking for safer access to Honey Hill. Stepenuck said the Town owns about one third of the hay field there. Johnson spoke about her efforts to contact the owners of the field to discuss improved access. Johnson will continue to try to communicate with them.

Illegal Dumping Ordinance Update

Smith passed out copies of the proposed Illegal Dumping Ordinance to the members. He discussed the fines that were proposed and whether they were consistent with other Town ordinances. He reviewed page 3 explaining the penalties of \$100 per each offense and an enhanced penalty for \$500 for more than three violations. Smith reported the Police Department feels that the existing State of New Hampshire RSA 163-B:3 is adequate.

O’Keefe spoke about RSA 31:39 regarding which ordinances a town may enact. O’Keefe said there isn’t any language specifically about trash. He also spoke about RSA 147:1 regarding the ability of the Health Officer to make a regulation regarding trash and RSA 163-B:3 which is already on the books as a State of New Hampshire law which may be enforced locally. O’Keefe said that any fine imposed on violators might not remain local. O’Keefe said the legal framework is not clear-cut. Smith said the Board of Selectmen is looking for concurrence for the proposed ordinance by the members of the Commission.

Motion was made by Morrison to approve the proposed Illegal Dumping Ordinance (as written by the Town Administrator) and subject to review by Town Counsel, with the idea that the Ordinance would go to Town Meeting for approval by the voters, second by Stepenuck.

Discussion followed:

Stepenuck said that the Police have not been responsive to requests to follow up on illegal dumping stating there was nothing that they could enforce. Stepenuck said the Town should enact something since the existing statute has not worked for the Town and isn't being paid attention to. Smith pointed out that the purpose of a Town ordinance is to try to stop dumping before it occurs.

Johnson spoke about the Town of Chesterfield having sign restrictions more stringent than the State statute, which indicates towns can enact ordinances tougher than the State's statutes.

O'Keefe suggested the ordinance be submitted to the Town Attorney for review. There was a discussion about having a Town ordinance and whether or not a fine could be collected. Anecdotal evidence was provided by O'Keefe and Johnson regarding trash dumped on their properties.

Smith suggested that the existing State statute should be updated and Johnson said she would look into it. Stepenuck called the motion – all were in favor. The **motion passed**. O'Keefe left the meeting at 4:43 p.m.

OLD BUSINESS**Well House on Mt. Cresson Repair Work Day**

Stepenuck spoke about the status of the repairs. He said he discovered that some of the planks are too long and will need to be redone before repairs can continue.

Website

The website needs to be updated. Johnson said members are not listed properly on the website. Stepenuck spoke about having a separate page dedicated to the Conservation Commission. There was discussion regarding who might construct a separate web page. Johnson suggested content for a web page should be contributed by the members of the Commission. A suggestion was made to consider content similar to Washington, NH website. Discussion was held regarding whether or not the New Hampshire Association of Conservation Commissions (NHACC) might provide some help. Stepenuck suggested a list of Town owned and/or conserved properties be posted on the website. Maps of LCHIP lands were discussed. The members decided to ask Assessing Coordinator Coleen Birmingham to join the Commission for the monthly December meeting to get her input on website ideas.

Riley Property

Stepenuck said the treatment of invasive species was supposedly completed. He said he would check to see if an invoice has been mailed in for payment.

Morrison said he was at the Riley property recently but didn't notice any change. He also spoke about a student project to provide evergreen branches to a Christmas wreath retailer.

A discussion was held regarding signs within the property, in particular a "Keep Out" sign. Morrison said he saw a sign that read, "No vehicles beyond this point". Stepenuck said that he felt that it is inappropriate to have a "Keep Out" sign on public property. Johnson agreed. Stepenuck said he would like to see the "Keep Out" sign removed. There was discussion regarding removing the sign and putting a snow fence or stakes around the wet area. Stepenuck spoke about speaking to the Board of Selectmen about the sign and the location of boulders that are also present.

Motion was made by Johnson to meet with the Board of Selectmen to discuss the signs and boulders at the Riley property, second by Smith, and all were in favor. **Motion passed.** Stepenuck said he would ask O'Keefe to get on the Selectmen's meeting agenda.

REPORTS

- **ARLAC** - Stepenuck said he thinks there are two vacancies on this committee. Smith said the notice states there are two vacancies for three year terms. Stepenuck said he thought Barbara Skuly is still chairing the committee. Stepenuck referred to a document that came into his position entitled Ashuelot River Corridor Management Plan.
- **Open Space Committee (OSC)** – Bernard updated the members about the Cellar Hole presentation held in October and which was very well attended.
- **SWRP-NRC** – Morrison said he did not attend the last meeting. He said he received a thank you letter to the Commission for sponsoring a student and passed out the letter to the members for their review. A discussion was held regarding whether there are any topics associated with ecology and conservation presented at the camp. Morrison said there was, but there are a variety of themes presented to campers.

Mail

- **Application for new or modified storage tank systems** – Stepenuck referred to receiving a copy of an application for Cheshire Oil in response to new requirements for underground storage tanks for all municipalities in the State of New Hampshire.
- **Newsletters** – were received and shown to the members.
- **Invoice of \$330 for annual membership in the NHACC.** It was noted that the Chair or Vice Chair will provide member information to the NHACC.
- **EAI Analytical Lab Fee** – Stepenuck informed the members that an invoice was received from EAI Analytical Labs for \$264 to pay for September water testing.

Motion was made by Morrison to make a payment of \$330 to the NHACC for the annual membership to the NHACC, second by Smith, all were in favor. **Motion passed.**

Motion was made by Morrison to make a payment of \$264 to the EAI Analytical Labs for September water testing, second by Smith, all were in favor. **Motion passed.**

ADJOURNMENT

Adjournment – motion to adjourn by Morrison with a second from Smith. All were in favor. Adjournment occurred at 5:34 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary