

Town of Swanzey, New Hampshire
Conservation Commission Meeting
Meeting Minutes – April 7, 2014

Note: Minutes are subject to review, correction, and approval by the Commission. Review, correction, and approval of minutes generally occur at the next regularly scheduled meeting of the Commission.

CALL TO ORDER

The regular meeting of the Swanzey Conservation Commission was called to order by Chair Robert Goodrich at 4:00 p.m. Committee Members Present: Robert Goodrich, Wally Smith, Ric Dell’Erba, Gary Coburn, Mike Morrison, Stephen Stepenuck, and Jane Johnson.

ABSENT

Deb Crowder

OTHERS PRESENT

Walter Weeks, Nicholas Coates from the New Hampshire Association of Conservation Commissions (NHACC), Ann Shedd from the Keene Conservation Commission and Town Administrator Shane O’Keefe. Weeks left at 4:07 p.m.

MINUTES

Minutes of March 3, 2014 were discussed. Motion was made by Smith to accept the minutes of March 3, 2014 with a second by Dell’Erba. All were in favor except Stepenuck who abstained and Coburn who also abstained since they were absent for that meeting. ***Motion passed.***

NEW BUSINESS

Walter Weeks – regarding access to Dickinson Forest from the Muster Field

There was discussion regarding access to the property from the Muster Field because the Town has an easement that cannot be easily passed on to another entity. Weeks reported that bank erosion is getting worse and Stepenuck said the area eroded is now nearly a sink hole and a hazard to public safety. Smith asked if a sign should be erected as a warning that the area is dangerous. Goodrich mentioned that Lee Dunham would be the right person to contact regarding a “danger” sign in the area under discussion. Stepenuck said that the Selectmen have asked Town Counsel his opinion regarding access through the easement at the entrance of the property and are waiting for a reply. O’Keefe said it would be on the agenda for Tuesday evening, April 8, 2014, at the Board of Selectmen’s meeting.

Discussion regarding vehicle traffic on the Muster Field was held. Morrison pointed out that the road is close to the edge of the bank of the river and Stepenuck noted that beavers may also be helping to undermine the bank. Discussion was held on safety of using the road. O’Keefe noted that there are statutes that protect the Town from liability should a problem occur. Stepenuck commented that the Town needs some civil engineering advice regarding correcting the problems there.

O’Keefe mentioned that he has asked Town of Swanzey Department Heads for comments regarding the property and not all have responded as yet.

Update on Safford Drive Project

O'Keefe reviewed with the members the land acquisition plans to complete Safford Drive using an engineering drawing. He noted that property needs to be acquired for the project and anytime the Town acquires property, the plan has to be reviewed by the Conservation Commission. He pointed to the location of a booster pump, and the compensation land for Clearwater Pool & Spa. Purpose is to open the land to economic development. The plan includes improving the road and bringing in electricity, water, and sewer. O'Keefe asked the members to submit any comments and recommendations regarding the plan. He also noted that after the Swanzey Planning Board and Conservation Commission review, two public hearings will be held April 15, 2014 and April 29, 2014.

O'Keefe said that the Town received approval for the right of way of Safford Drive through Town Meeting a number of years ago. A question arose regarding New Hampshire Department of Environmental Services (NH DES) approvals. O'Keefe said that as far as he knew all filling and wetlands permits for the road have been obtained. O'Keefe also noted that a request for bids for the project should be going out this week.

Coburn asked about the intersection with State Route 12 and O'Keefe referred to the Development Plans. There will be dedicated left and right turn lanes with a painted median. Goodrich asked about Fair traffic and O'Keefe said he thought it might be a relief valve for traffic to the Fairgrounds.

Morrison pointed out the wetlands issue will occur in the future if someone wants to put a building on land surrounding the Safford Drive Extension since it appears to be wet. A discussion was held regarding wetland mitigation and if the Conservation Commission will be involved in that. Goodrich asked if a letter would be appropriate and O'Keefe referred to Title III, Chapter 41 for action by the commission.

Smith made a **motion** to approve the acquisition of land and development related to the Safford Drive Extension project, second by Johnson, and all were in favor. ***Motion passed.***

Obstruction Clearing (Tree Cutting) at Dillard Hopkins Airport

Ann Shedd – Chairman of the Keene Conservation Commission – was present to discuss the planned obstruction clearing/tree cutting at the north end of the north/south runway on land in Swanzey, owned by the City of Keene. The clearing is scheduled to improve flight safety. She noted there are wetlands present in the area to be cut. She informed the members that starting Wednesday, April 10, 2014, at 6:00 p.m. there will be a presentation and public hearing on the obstruction clearing. She went on to say that the Environmental Assessment said it concerns 15 acres of land and quite a few trees to be cut. According to Shedd, the Federal Aviation Administration (FAA) has standards for height for an airport approach zone.

She then passed out a map of the area. Most are mature white pines which would be taken down. There is a twelve acre zone in the Town of Swanzey with deed restrictions to keep it natural. Amendment to that deed allows for cutting the trees, however. There was a brief discussion about the fact that Dell'Erba and Coburn walked the area about two years ago. Shedd went on to say that there is a bog on the land and it was recommended to let the hewn trees lie in place rather than disturb the environment even further by dragging them out. Shedd said the Environmental Assessment is 135 page document,

but it does have all of the minutes, and documents for forestry standards, and the analysis of the wetlands would be worth reading. Shedd said that the commission is invited to make comments about the wetlands issues, to be submitted to the Airport Director, which will be forwarded to the New Hampshire Department of Transportation (NH DOT), which is acting as an agent of the FAA. Some question about whether the assessment would have to move to an environmental impact study. Shedd said the document says the trees to be cut do not lie over an aquifer, but that isn't true, also says that it isn't recognized as recreation land, which in fact it is, according to Shedd. Morrison asked about Keene's Conservation Commission response. Shedd said she is an abutter to the project and will not vote when the Keene Conservation Commission votes, but will encourage the Keene commission to be cautious around the wetlands.

Morrison commented that the area is a giant flood plain. The soils are sandy according to Shedd. Dell'Erba pointed out the trees draw up water from the land. Shedd mentioned a student project which studied the area identifying the local vegetation in the area and she offered to send a copy to the members.

Smith asked about the negative impact if the project were denied. Shedd said the FAA funding would be withdrawn and there is a \$300,000 runway renovation project planned to be funded in the future. She also said most small airports rely on the FAA for funding.

Stepenuck noted a previous request for lowering trees on State Route 32 (Keene wanted a lower decision height when fog is present at the airport) that was not required by the FAA. He also mentioned that a Trash to Energy plant was proposed for the area at one time and it would have required a 165 foot smokestack. The developers claimed that they had FAA approval at that time, according to Stepenuck.

Shedd said that alternatives to this plan were considered, one of which was to extend the runway south – which would have shifted things further south, but that was found to be un-workable for a variety of reasons. The only one of five alternatives that was determined to be viable was to cut the trees to the north.

Wally asked whether the Conservation Commission could demand to review the FAA requirements. He also would like to know what the appeal process might be. Shedd recommended reviewing the documents. Shedd was thanked by the members and she left her contact information with Chairman Goodrich. Shedd remained at the meeting to listen to the presentation of Nicholas Coates, who joined the meeting at 4:52 p.m.

New Hampshire Association of Conservation Commissions (NHACC)

Coates said the NHACC is one man operation (himself) and he provides services to the local Conservation Commission. His goal is to meet each Conservation Commission in the State and review the NHACC services with each of them. Coates said he will be conducting education programs from June to October during 2014: Encouraging Youth Participation, Wetlands Identification and Permitting Process, Beaver Management, and Mobile Technology for use in collecting data, and others. There will be one session held at Keene State College, one in Hanover, one in Conway, and one in Nashua. The registration fee is \$5.00.

Coates said his plan is to better communicate with the commissions and to encourage better communication with the public. He discussed bills in the State House: HB 1100 Duties and Powers of Conservation Commissions and HB 1271 as to whether public entities can hold land or donate funds to land trusts as well as SB 288 – economic case for conservation and more money for LCHIP. Coates said he learned that the bills were initiated by local sponsors who had issues with their Conservation Commissions over-stepping their bounds. He also mentioned Constitutional Amendment CACR 19 – which would prohibit raiding of dedicated funds. He noted that the NHACC is the only group that is working on these bills, representing the Conservation Commissions.

Coates gave to the Conservation Commission two books: “The NH Municipal Conservation Fund”, and the “Handbook for New Hampshire Municipal Conservation Commissions”. He mentioned updating the website to be more helpful to local commissions.

First Saturday of November (November 1, 2014) is when the annual meeting of the NHACC is held. Coates said he wants to create sessions similar to Technology, Entertainment, and Design (TED) Talks to get youth involved in Conservation. He noted that Conservation Commission members are aging and there is a need to draw in youth for the commissions of tomorrow. Morrison suggested high school senior projects be approached to encourage some of them to be environmental/conservation oriented. Morrison also said Teacher in-Service trainings in the fall could be a source of communication. Stepenuck suggested Coates contact Marshall Davidson who was elected Conservation Teacher of the Year by the Cheshire Conservation District.

Question from Stepenuck about how the NHACC is funded. Coates responded that member dues and sponsorships and registrations from the annual meetings are the only sources of funding. Coates is also looking at grants with goal to diversify funding sources. He also said he is working part-time at half salary in order to be able to hire an additional person. His desire is to eventually have an Executive Director, a Communications Director, and an Educational Director.

Morrison spoke about software that is called “Bill Tracker” which enables a user to track State bills being proposed. Smith mentioned that interns at colleges in the State might be useful. Stepenuck suggested that Conservation Commissions need an engineer and a lawyer on the side of Conservation. Coates said he is looking to have engineer/wetlands scientist and lawyer to retain for specific project reviews, and to make these folks available to Conservation Commissions when they have specific questions.

Discussion was held regarding his Board of Directors – nine members today, but three will be leaving and he wants to better represent Cheshire County.

Morrison left the meeting at 5:20 p.m.

A discussion ensued regarding paying the dues for membership. Coates said he will forget last year’s dues that were owed. He would like the Swanzey Conservation Commission back as a member of the NHACC. He was thanked by the members. Coates left the meeting at 5:29 p.m. Shedd left the meeting at 5:32 p.m.

Dues for New Hampshire Association of Conservation Commissions (NHACC)

Further discussion occurred regarding payment of the bill to join the NHACC citing both 2013 membership dues and 2014 membership dues which amount to a total for both of \$590.

Stepenuck **moved** to join the NHACC and pay the entire the bill of \$590 which would cover 2013 and 2014 membership dues, second by Smith. Some discussion was held regarding helping Coates achieve his goals and appreciating the efforts Coates is making by paying both past due membership and current membership dues. Stepenuck moved the question. All were in favor.

Motion passed.

Smith suggested a personal note be included with the payment regarding the discussion prior to the vote.

Election of Officers:

Motion was made by Johnson to elect the following, Goodrich for Chair, and Stepenuck as Vice Chair. The motion was seconded by Coburn. Chair called the vote. All were in favor except Stepenuck who abstained. ***Motion passed.***

Roadside Cleanup

The roadside cleanup will be May 3, 2014 as determined at a previous meeting. Signs were discussed. Smith volunteered to be present at Town Hall. Dell'Erba volunteered to change the dates on the signs and he will post them the week before the event. Johnson will handle publicizing the event. Discussion was held regarding a key for Goodrich to open Town Hall on a Saturday morning. Goodrich said that the Boy Scouts cannot be involved on that date as they have another commitment but will go out on another weekend. Johnson will make up some posters. Map will be used to indicate which areas being cleaned up by residents. Full bags should not be left on the road surface. Discussion was held on providing gloves to residents, the number of bags available and a limit of ten bags per person. 9:00 a.m. is the start time for the cleanup. Goodrich will also be present.

O'Keefe stopped by at 6:06 p.m. and said he would provide a key for Town Hall to Goodrich.

Riley Sign

Riley Conservation Area
est. (add date)
Town of Swanzey

Morrison left a note with Goodrich saying that sign-maker Johnson will get back to Morrison with a sign proposal.

OLD BUSINESS

Wetlands Survey for Riley Property

Aaron Weffler has been recommended by Tom Forest to do the wetlands survey on the Riley property, according to Morrison. Smith and Coburn offered to help Stepenuck put red pins out on the property. Johnson suggested that someone speak to Morrison regarding whether Weffler will do the survey pro bono.

REPORTS

Open Space Committee (OSC)

Bernard mentioned that the Swanzey Open Space Committee Facebook page for the OSC has photos from the winter hike held in March.

SWRPC-NC – no report

OTHER BUSINESS

Mail

Johnson mentioned the talks that will be held on Forestry that anyone can attend without registration.

Canyon Springs Estates subdivision

Stepenuck said that this topic should be on next month's agenda. Stepenuck suggested the Swanzey Lake Association should get involved in this plan for development because the area being proposed for building is the watershed for Swanzey Lake. There is major concern regarding this project on the part of the Conservation Commission, and the Commission has very little information regarding it.

ARLAC

Goodrich reported a thank you letter was received from Barbara Scully.

River Committee Presentation

Stepenuck said he did the presentation on the status of the river and would be willing to do the presentation for Town committees who are interested. Stepenuck suggested that it be on the agenda for next month. Bernard mentioned to Stepenuck to contact Chair of the OSC, Jeanne Thieme, regarding borrowing the OSC screen and projector if Stepenuck sets a date for the presentation.

Filling a Pool from the River

Coburn asked about filling a new pool with river water. Stepenuck suggested Coburn speak to Director of Planning and Community Development Sara Carbonneau for information.

Motion to adjourn by Stepenuck, second by Coburn, and all were in favor. **Motion passed.**

Adjournment occurred at 6:29 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary