

CENTER HARBOR CONSERVATION COMMISSION
MEETING MINUTES
Tuesday, April 20, 2021

Commissioners Present: Harry Viens, Acting Chairman
Karin Karagozian
George Gurney
Gwen Bronson
Don Carey
Maureen Criasia

Attending from the Public: Edwin “Duke” Kline
Derek Kline
Susan Patz
Helen Heiner
Kirk Meloney
Bruce Gilday, BAG Land Consultants

- I. Call to Order – The meeting was called to order at 1:04 pm by Harry Viens. Harry states that because of the various positions he currently holds on other Town boards, he is wearing “too many hats”. In the spirit of “open transparency”, he states that he needs to remain on the “enforcement side” of things and to that end is recusing himself from the Conservation Commission’s activities pertaining to “this Kline application” (i.e., NHDES Dredge & Fill Application 2021-01076). Harry requested a volunteer from the Commission to act as chairman for the balance of the meeting; Maureen Criasia volunteered. Harry excused himself and left the meeting room.
- II. Approval of the November 20, 2020 Meeting Minutes – deferred until the next noticed meeting of the Conservation Commission.
- III. New Business:
 1. Review of Dredge and Fill Application 2021-01076 (TML 212-32) with discussion and vote pertaining to “Intend to Investigate” per RSA 482-A:11, III and RSA 482-A:3. Maureen requested to read aloud and enter into the written minutes RSA 482:11, III a. Administrative Provisions:

“Upon written notification to the department by a municipal conservation commission, a local river management advisory committee, or the New

Hampshire Rivers Council that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, local river management advisory committee, or the council, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier, subject to an extension of up to 40 days, as permitted by the commissioner, for good cause shown. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. Where the commissioner grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended for up to 40 days as agreed to by the applicant and the department. If a conservation commission, a local river management advisory committee, or the New Hampshire Rivers Council makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission, local river management advisory committee, or the New Hampshire Rivers Council pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made."

Each commissioner was then given an opportunity to voice any comments pertaining to his/her review of the application's contents and accompanying maps and supporting documentation. All commissioners expressed a desire to visit the property and conduct a site visit in order to ascertain its physical and ecological characteristics and be given the opportunity to ask additional questions and obtain more information. All agreed that a site visit would add an overall additional benefit to the process. Maureen mentioned that the best time to observe a site involving wetlands would be as soon as possible after a significant rain event occurred and the rest of the Commission concurred.

A motion was made and seconded to exercise the "Intend to Investigate" as per the above referenced RSA 482-A:3, and was voted unanimously by the commission. The appropriate related written notification to NHDES et.al will be completed and sent after adjournment of this meeting through the Selectmen's Administrative Assistant.

- V. Public Input – A decision was made to move the "Public Input" agenda item forward in the agenda and receive public input at this time. *Kirk Meloney* spoke and said as a previous Center Harbor Planning Board member, the prior planning boards worked with applicants in the spirit of achieving compromised solutions. *Derek Kline* requested the Commission reconsider the vote just taken by the Commission under New Business 1.) above. The chair voiced that that reconsideration would not be an

option at this time. *Helen Heiner & Susan Patz* stated their property abuts the Kline property and gave the Commission permission to “walk their property” with advanced notice. *Bruce Gilday* provided the Commission with a soil map accompanied by an information packet of the impact and surrounding areas, which was subsequently filed with the Commission’s application materials. Mr. Gilday noted that the area consists of “moderate to poorly drained soils” which can further be explained during the course of the site visit.

- IV. Additional Business – Ms. Criasia reported that Road agent Jeff Haines is currently working with district NH Dept. of Transportation personnel to locate and site the “No Motor Boat Traffic” sign at the Snake River terminus at Lake Waukewan / Mosquito Bridge.

Also, right after the November 2020 Conservation Commission meeting, Rick Van de Poll electronically submitted his annual (2020) conservation easement report for the Fogg Hill Conservation Area. He identified that completion of survey work by the Lakes Region Conservation Trust remains outstanding and LRCT’s Stewardship Director, David Mallard was contacted pertaining to such.

- VI. Adjourn - Having no further business to come before the Commission, a motion to adjourn the meeting was made, seconded and unanimously voted at 1:50 pm.

Respectfully submitted,

Maureen A. Criasia, Commissioner