

CENTER HARBOR CONSERVATION COMMISSION
MEETING MINUTES
WEDNESDAY, NOVEMBER 10, 2021

Commissioners present: Maureen Criasia, Chair
Karin Karagozian
George Gurney
Don Carey
Barbara Picard
Aimee Manfredi-Sanschagrin
Harry Viens, Selectmen's Representative

Attended: Bill Doucette; Compliance Officer

Call to Order: The meeting was called to order at 8:02 a.m. by Chairman of the Commission, Criasia.

Approval of Minutes:

A motion was made to approve the minutes of August 11, 2021 by George Gurney; seconded by Barbara Picard. All in favor.

Introduction of New Commissioner: Newly appointed Commissioner Aimee Manfredi-Sanschagrin was introduced to the Commissioners by Chair, Maureen Criasia.

Old Business:

After a review of a draft letter by the Commission, a motion was made by Chair Criasia to send the letter without changes addressed to Michael Licata, Vice President of Member Services and Public Affairs, New Hampshire Electric Coop (NHEC) regarding herbicide spraying by NHEC.
All are in favor. The letter will be also be copied to the Center Harbor Board of Selectmen with a copy going to David Rousseau from NH Dept of Agriculture.

New Business:

a.) Recording of Conservation Commission Meetings. Due to the amount of information shared and importance of capturing details from discussions among commissioners and guests, all commissioners approve of recording meetings to aid in subsequent preparation of written minutes. Recordings will be deleted once minutes are approved.

b.) 2022 Budget Proposal. The Commission will need \$530. in operating costs to cover NHACC (NH Association of Conservation Commissions) dues and Hawkins Pond water testing. Last year's budget amount was for \$750. If someone wants to go to a conference, there would be very little left to cover expenses for that purpose. Maureen Criasia proposed \$1,000.; Harry Viens seconded. All commissioners approved. Criasia thanked commissioners for their generosity in the form of work done for the Town without monetary compensation noting that most other conservation commissions have much larger budgets.

Fifty percent of the Land Use Change Tax (LUCT) goes to the Conservation Fund. We do not know the amount yet for 2021, however, it will be higher than last year due to the increase in LUCT-related penalties in 2021.

The other half of the LUCT goes to the Town, some of which can be voted into the Stewardship Fund. The Conservation Commission is not encumbered with the annual Conservation Easement Monitoring costs for Fogg Hill because the Selectmen made the decision several years ago that they would cover those costs from the Stewardship Fund. For this reason, the Commission retains more in its Conservation Fund for land procurement and other activities.

c.) Annual Report. Maureen Criasia asked for commissioners to submit suggestions for the '20-'21 annual report. All the minutes are online for review. The Annual Report needs to be completed by the third week in January. Harry Viens has offered to work with Commissioner Criasia on the report.

d.) Review of Chapter 10 of the Center Harbor Zoning Ordinance/Water Resources Conservation Overlay District Chapter 10 explains why the Town felt it was necessary to put forward not just a wetlands overlay district but a *comprehensive* water resources overlay district. In this way the Town has more control over protection of water resources and assuring responsible development within our town. Center Harbor has its own set of comprehensive water resource related ordinances, in many instances more stringent than the State. In a case where our local ordinance is more stringent than that of NHDES, the more stringent standard supersedes the other thus giving our town more control to protect our own resources.

It is stated in Chapter 10 that the Conservation Commission will be asked to review and comment on certain special exceptions related to water resources and for this reason it is very important for commissioners to review and understand Chapter 10. Section 10:7 provides that the Conservation Commission and Code Enforcement Officer give input pertaining to these special exceptions. Every water resource has been mapped; sometimes these maps are inaccurate and things need to be reviewed "on the ground".

Input from the Conservation Commission will be asked more and more to make recommendations to local and state entities. At the local level, the Board of Selectmen can form a subcommittee or ask for recommendations from the full Commission. An alternative would be for the Commission to form a subcommittee that would report back to the full Commission. The full Commission would then make the level determination and send it forward to the DES or the local land use board entities. Because we are a full Commission, the quorum is four. Barbara Richter, Chairman of the New Hampshire Association of Conservation Commissioners, confirmed that it would need to be the full Conservation Commission that would need to respond to the NHDES Wetlands Bureau.

Bill Doucette, Center Harbor Code Enforcement Officer, confirmed Aimee's report that there are currently three projects where there have been disruptions to wetlands and potentially a need for a review of special exceptions. He hopes to streamline process in order to resolve matters in a timely matter. Going forward, the Commission will coordinate efforts with Bill Doucette to walk the sites and make recommendations to him, the Zoning Board, etc. It is vital that we act as the ears and eyes on the local level in order to assure protection of our water resources since at the state level they don't have the manpower to go out to the properties. Bill can be reached at 603 455-6823.

e.) Fogg Hill Conservation Easement Monitoring Report.

There is an unclear boundary on Fogg Hill which still needs to be resolved. LRCT has been aware for a couple years that the property needs to be surveyed, however, this has not been completed to date. The temporary

boundary markers previously placed by LRCT have been removed by a property owner who borders the Fogg Hill Conservation Area, so having a survey with permanent markers is a real necessity. A letter accompanying the monitoring report will be sent to LRCT asking for this survey work to be completed. The report and letter will be sent to Anna Boudreau, Don Berry and Dave Mallard at the LRCT.

The Town Select Board contracted with Rick Van de Poll in 2018 to complete the annual easement monitoring report for five years. This will end in 2022 and we hope to renew the contract. Maureen Criasia has left work with Rick Van de Poll requesting his continued work for another five years.

Additional Business

Proposed Koss Construction development on Bean Road. Don Carey who lives adjacent to the proposed development site showed commissioners and Bill Doucette the Alteration Terrain Permit for the Bean Road project. The site is in Moultonborough on the Center Harbor border. There is potential impact on a nearby shared stratified drift aquifer from which water will be drawn for the development. There are two deep wells projected. There will be a Planning Board public hearing tonight in Moultonborough regarding the Koss development project. Also mentioned was potential impact on Center Harbor's town resources such as first responders and concerns re: heavy traffic on Kelsea Avenue.

Correspondence

Due to legal matters regarding some correspondence, Aimee recused herself and left the room at 9:34 prior to our discussion about correspondence and did not return to the meeting.

There is one piece of correspondence from NHDES Wetlands Bureau dated October 4th which was reviewed by the Commission regarding the application 2021-01076. No action was taken by the Commission.

Adjourn at 9:50 a.m.

Next meeting of the Conservation Commission will be at 8 a.m. on Wednesday, February 9, 2022