

CENTER HARBOR CONSERVATION COMMISSION
MEETING MINUTES
WEDNESDAY, FEBRUARY 9, 2022

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

Commissioner not present: Don Carey

Call to Order:

The meeting was called to order at 8:03 a.m. by Chairman of the Commission, Criasia.

Approval of Minutes:

A motion was made to approve the minutes of November 10, 2021 by Harry Viens, seconded by Karin Karagozian. All in favor.

Old Business:

a. Fogg Hill Conservation Area Land Survey & Boundary Concerns:

Property adopters, Barb and Don Picard, while monitoring the Fogg Hill Conservation Area for the Lakes Region Conservation Trust (LRCT) prior to submission of their annual inspection report to LRCT, identified a couple of key issues.

First, there is a possible encroachment by a new property owner at the top of Fogg Hill adjacent to the Conservation Area. Trees have been removed along the boundary, many of which are likely to have been on LRCT property. The property adopters concluded that a long overdue survey clearly marking the boundaries of the Conservation Area has now become a top priority. Upon receipt of the annual report, LRCT's Stewardship Director, Dave Mallard confirmed the need for a survey and has hired a surveyor, Colin Brown, to complete the work by this summer.

Another issue arose this year from people parking atop Fogg Hill Road, at the secondary entrance to the Conservation Area. The new property owner has approached visitors to the LRCT property insinuating that they do not have the right to park at that location entrance, which is false. In their inspection report to LRCT, the Picards suggested putting in a small marker or kiosk identifying the entrance, along with guidelines for parking. An option was also proposed to carve out a small parking area off the cul de sac, just within the LRCT

boundary, clearly delineating a place for visitors to park. It is hoped there will be a remedy to the problem this year.

b. Update on Bean Road Condominium Development in Moultonborough:

Criasia spoke with Susan Slack, at the Lakes Region Planning Commission about the associated traffic study, specifically her concerns about the level of accuracy trying to do this during the winter months.

In terms of the NHDES wetlands application (file number 2021-03677) associated with the property, the application has been accepted. The project summary description online says there is no impact to any of the wetlands on the property, which is in direct conflict with the local Zoning Board of Adjustment variance the applicant is applying for to encroach on a 25 ft wetland buffer to build a road. There is a request for more information from NHDES in a letter dated January 19, 2022. Developers have until March 20th to rectify the queries contained within the letter.

The Commission is concerned that the Bean Road development project falls just barely within the Town of Moultonborough's municipal boundary, and it is actually the Center Harbor Village (due to its proximity to the proposed development), that will experience a significant impact on its pedestrian and vehicle traffic, use of sewer and water resources, police, fire and ambulance services and use of Center Harbor's dock and beach. This project falls within the purview of the Town of Moultonborough, however, given the proximity to our town and the significant impact on our resources and the culture of our village, we feel it is critical to convey our concerns to the Town of Moultonborough and open up discussion about how or under what conditions the project could optimally move forward.

The Center Harbor Conservation Commission's scope is limited because it is an advisory entity. However, Criasia stated she has been monitoring the wetland application's status on line and would like to interface with Dale Keirstead at NHDES, who is the application's reviewer of record, to relay the Commission's concerns.

The Commissioners agreed that it would be important to form a subcommittee for the purpose of submitting a memo outlining concerns about the potential impact of this project on shared water resources and potential for wetland impacts to our Select Board. It is our hope that the information provided will aid the Selectmen as they review this and other issues they have regarding the project. Viens confirmed that the Selectmen would like to express Center Harbor's concerns in writing in order to open up discussion between them and the Moultonborough Planning Board, the Moultonborough ZBA and the Moultonborough Selectmen.

Representatives from the Planning Board, Zoning Board and Conservation Commissions from Moultonborough and Center Harbor have attended the meetings held about the Bean Road Condominium Development, and have been told that hearings on this will be continued. Sanschagrin proposed and all agreed that it would be appropriate to have a combined meeting between Center Harbor's Planning and Select Boards, and its Conservation Commission in order to coordinate our efforts.

c. 2020-2021 Annual Report Photo Inclusion:

For the first time, this year our annual report was submitted with a photo from one of the conservation areas in Center Harbor. A photo of the kettle hole bog in the Fogg Hill Conservation Area was selected. It was agreed that it would be a welcome addition to include a photo each year with the annual report, hopefully

heightening the awareness of conservation in the town and townspeople's exposure to these properties. The annual report will appear on the Conservation Commission webpage once the town report comes out.

New Business:

a. Conservation Commission's Co-Sponsorship with Lakes Region Conservation Trust of a Vernal Pool Workshop in Center Harbor Woods on May 14, 2022:

There will be a vernal pool workshop at Center Harbor Woods on May 14, 2022 led by biologist/conservationist, Dr. Rick Van de Poll. Dr. Van de Poll proposed this venue due to ease of access and also an earlier discovery on this property of a four-toed salamander which is a rare species. Mid May would be the most likely time to observe the vernal pools and, hopefully, the salamander.

The workshop, limited to 20 people, will cost \$250. Criasia motioned to co-sponsor this event with the Lakes Region Conservation Trust, covering half of the cost (\$125.00) from the Commission's operating budget. Karagozian seconded; all in favor.

b. Status Update on NH House Bill 1066 Pertaining to Cyanobacteria Study:

A bill has been put forward proposing establishment of a cyanobacteria study commission through the House Resources, Recreation and Development Planning Committee. An amendment was introduced that would establish a study commission, and direct the New Hampshire Department of Environmental Services (DES) to investigate and analyze the environmental, human and health impacts related to cyanobacteria blooms in New Hampshire waterbodies. The issue is that cyanobacteria is becoming more and more pervasive in the State of New Hampshire and recently we have seen an increase of blooms state wide.

Criasia asked the Commissioners whether it would be advisable to send a letter of support for the bill proposing to establish a commission addressing cyanobacteria blooms. Or, can we identify something to implement as a Conservation Commission at the local level to help prevent cyanobacteria blooms? As an example, the Commission could put out information regarding source-point pollution such as septic system failures that would educate people about how to recognize the signs of a failing septic system which is one of the sources of cyanobacteria. Commissioners agreed to continue to monitor progress on this bill and to take no further action at this time.

Correspondence:

Michael Licata and the New Hampshire Electric Coop (NHEC) have not responded to our letter of November 10, 2021 regarding the herbicide spraying by NHEC during the summer of 2021. Criasia called and left a voice mail message for Seth Wheeler, Director of Communications at NHEC, and she has not received a call back yet. Viens will follow up to find out whether or not they will take us up on our suggestion to put something in their upcoming newsletter about any upcoming herbicide applications. In the past, the Selectmen have received a letter around March 1st from NHEC regarding the lines they plan to spray in that year. In the future, the Selectmen will promptly post this information on the Town website and inform the Commission upon receipt

of the notification in order to get out information to the public about the intended spraying in a timely manner.

Gurney also proposed that the minutes from the Commission's August 2021 meeting with David Rousseau, Director of NH Division of Pesticide Control, NH Department of Agriculture, Markets and Food be disseminated because it would give the public accurate information about chemicals used and help townspeople to make informed decisions. Commissioners were put at ease subsequent to the meeting with Rousseau both in terms of the nature of the chemicals and manner of application as well as the oversight provided whenever chemicals are applied to vegetation.

Additional Business:

a. NH House Bill 1071, Wake Surf Bill:

Wake surfing boats are specialized boats that create waves mimicking ocean waves, upon which people surf directly behind. The bill would establish a minimum setback of 250 feet for the activity of wake surfing on New Hampshire's lakes. The current setback is 150 feet. A recent study published by the University of Minnesota suggests that at least 500 feet is necessary for wake surfing waves to dissipate.

The Commission should monitor this situation closely since wake boating is a problem for the environment for many reasons. Wake boats' ballast is water; where does it come from? Waves are causing erosion of shorelines. Cyanobacteria sits at the lake bottoms and there is a concern that these plumes of water driven downward are disturbing the cyanobacteria and bringing them to the surface. Loon habitat is being disturbed. The current setback is 150 feet and there is little enforcement.

The Commission agrees to wait to see what happens after the public hearing and continue to monitor the advocacy. We can continue to encourage the lake associations to educate boat owners.

b. High Haith parking update:

There was an issue at the municipal level regarding parking on High Haith Road for the people using the boat launch at the end of High Haith which is Town owned. Abutting the road where parking occurs is a piece of property that has a conservation easement; the owner of that easement is the Squam Lakes Conservation Society and the property owner is a private property owner.

In order to make sure that the Town did their due diligence regarding allowance of parking, Criasia was approached for help to review the easement deeds. She looked at one of these with the Parks and Recreation Director, finding that there are no easement restrictions on parking adjacent to the property. Subsequently, Criasia encouraged Viens to speak with Roger LaRochelle at SLCS, resulting in the "no parking" signs being removed.

c. Applications for Construction in Center Harbor:

Commissioner Criasia has noted that there appears to be an uptick in construction applications being denied by our Code Enforcement Officer, Bill Doucette, and appropriately referred to the Zoning Board of Adjustment (ZBA) for variance or special exception in accordance with our local ordinances. There are concerns pertaining

to some of the proposed construction project plans, and it appears that several ZBA applications with potential associated environmental impacts will be coming up for review in the next few months. It will be important to pay close attention to the ZBA page on our Town website, keeping an eye out for these cases within our town, while remaining vigilant on the current proposed Bean Road Development in Moultonborough that is certain to impact our town in many ways as discussed earlier. With any questions regarding case related information on the ZBA website that may be considered a red flag for conservation concerns, contact Sanschagrin or Criasia to determine whether an additional meeting of the Commission might be in order for case review.

Motion to adjourn at 10:03 a.m. by George Gurney; seconded by Karin Karagozian; all in favor.

The next meeting of the Conservation Commission will be held at 8 a.m. on Wednesday, May 11, 2022.