

CENTER HARBOR CONSERVATION COMMISSION
MEETING MINUTES
WEDNESDAY, MAY 11, 2022

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

Absent: Commissioner, Don Carey

Attending from the public: Elizabeth Cody, resident of Center Harbor

Call to Order: The meeting was called to order at 8:01 a.m. by Chairman Criasia.

Approval of Minutes:

A motion was made to approve the minutes of February 9, 2022 by Commissioner Manfredi-Sanschagrin; seconded by Commissioner Gurney. All in favor.

Old Business:

a.) Status & Update 33 Bean Road, Moultonborough – NHDES (NH Dept. of Environmental Services) Wetland Application 2021-03677

The Conservation Commission is in receipt of a NHDES Wetlands Permit dated 5/4/22, issued in conjunction with this application. The Wetlands Permit reflects that NHDES' decision to issue this permit is in part based on comments submitted by the Moultonborough Conservation Commission to NHDES in November 2021, stating that it had no concerns with the project.

Prior to NHDES issuing the Wetlands Permit, the Center Harbor Conservation Commission had outlined their concerns pertaining to the application in correspondence dated 2/23/22 and 3/11/22, which was forwarded to NHDES for consideration. A letter from NHDES dated March 30, 2022 was received by the Commission that stated the applicant would be required to submit comments in response to the Center Harbor Conservation Commission's correspondence. To date, the Commission has received no written communication, neither from the applicant nor from the NHDES, in response to its concerns.

Commissioner Criasia made a recommendation that the Commission send a letter to NHDES notifying them of this lack of response. All were in favor.

Commissioner Viens went on to note that the Town of Center Harbor's appeal to the Moultonborough Zoning Board of Adjustment's decision on an approved variance was voted 4-1 in favor, which means it will go back to the ZBA for a more in-depth review. Subsequently, the applicant will need to file a new application to the ZBA.

Commissioner Viens also reported that in separate action, an abutters' suit has been filed and will be heard by NH Superior Court. As a result, there is a stay on any activity on site.

This discussion brought up a point about how the Commission might want to approach similar issues in the future regarding opening up lines of communication between bordering municipalities' Conservation Commissions. Commissioner Gurney suggested reaching out to have a face-to-face meeting between the Commissions at the outset, prior to commencement of permitting and breaking ground on large projects. In this case, a meeting with the Moultonborough Conservation Commission back in November 2021 may have provided a venue and opportunity to share conservation related information and express environmental concerns about this project early on in the process.

b.) Update -- NH Electric Coop 2022 Herbicide Spraying

Commissioner Criasia heard from Seth Wheeler, the Communications Coordinator at NHEC who informed her that the Coop has updated their webpage on April 7, 2022 regarding their herbicide spraying. He stated that the Commission's input several months ago was a catalyst for updating their information on the website.

c.) Lakes Region Conservation Trust / Conservation Commission Vernal Pool Workshops Update

Two Vernal Pool workshops at Center Harbor Woods co-sponsored by the Center Harbor Conservation Commission and Lakes Region Conservation Trust (LRCT) will be held on May 7th and 14th 2022. The first, led by naturalist, Rick Van de Poll, was very informative and a great success. This coming Saturday's workshop will be led by LRCT's Stewardship Director, Dave Mallard. Space was limited to 20 participants and there is a waiting list for the second workshop. The Commission is providing refreshments at both events. Flyers notifying the public of the event are online on the Town's website and posted at the library, town hall and post office. LRCT has the workshops posted on their website and is releasing eblasts.

d.) Status of House Bill 1066 -- Cyanobacteria Blooms

An amendment to House Bill 1066 was introduced that would direct the New Hampshire Department of Environmental Services (DES) to develop a plan to address cyanobacteria blooms in New Hampshire's waters. The goal of the amendment is to expedite the process of taking action to fight cyanobacteria blooms and direct DES to collaborate with stake-holders. In April the bill passed the Senate and will go to the Governor this summer.

New Business:

a.) Snake River / Mosquito Bridge 2022 Construction

Since 2015, there has been an effort to preserve the Snake River/Mosquito Bridge, which was originally slated to be replaced by NHDOT with a larger structure while making significant changes to the roadway affecting both Center Harbor and New Hampton residents. The Snake River Mosquito Bridge Preservation Committee was formed in order to assure preservation of the historic bridge abutments, retain the current bridge footprint, and maintain the rural character of the bridge roadway. After six years and numerous meetings between the New Hampton and Center Harbor citizen representatives, NHDOT representatives, engineering officials and other state and town officials, the bridge will be closed and under construction beginning on Memorial Day weekend 2022, and is slated for completion around Columbus Day weekend this year.

b.) TML 104-009, 46 Brookside Lane Shorefront Activity 4/23/22 (NHDES 2013-02700)

On Saturday, April 23, photos were sent to Commissioner Criasia pertaining to activity and work occurring at the 46 Brookside Lane Center Harbor shorefront. It was apparent from these photos that work was not being

conducted with any regard for best management practices usually imposed at state and local levels and immediate intervention was necessary. As a result, the photos were promptly forwarded to the town's Code Enforcement Officer, Mr. Doucette, and the Board of Selectmen for review and further action. Darlene Forst at NHDES was also contacted by Commissioner Criasia by telephone on Monday, April 25, 2022.

Upon review of NHDES records, it appears that the applicant did not follow the original permit guidelines for reconstructing a retaining wall adjacent to the shoreline on his property. NHDES issued a detailed Remediation Plan for this property on October 24, 2016 in conjunction with NHDES 2013-02700 which has been disregarded by the applicant. Mr. Doucette and the NHDES compliance supervisor for this case, Jeff Blecharczyk will continue to follow its progress.

At 9:02 a.m., prior to discussion of the following, Commissioner Manfredi-Sanchagrin recused herself and left the meeting.

c.) Planning Board Hearing May 2, 2022 re: Case 2020-0505

There was a Planning Board hearing on May 2, 2022 regarding the proposed road construction on TML 212-32. Commissioner Gurney attended the meeting and reported to the Commission about what had been discussed regarding this case.

Additional Business:

a.) Conservation Fund Status

As of 3/31/22 there is \$97,481.89 in the Center Harbor Conservation Fund.

b.) Possible Increase in Frequency of Commission Meetings

After discussion regarding the potential need for an increase in the frequency of meetings of the Conservation Commission, it was decided that we leave our meetings on a quarterly level with the understanding that if a special occasion requires the attention of the Commission, the Chairman will reach out to commissioners for an emergency meeting in order to address the situation at hand. Chairman Criasia made the motion to accept this proposal; all were in favor.

c.) Template for Letters of Support for State House and Senate Bills

Chairman Criasia will work on a template for letters of support for State House and Senate bills for future use.

d.) Future Meeting with the Zoning Board of Adjustment (ZBA) to review Chapter 10 of the Zoning Ordinance

A meeting between the Commission Chair with the ZBA may take place in order to review Chapter 10 of the Zoning Ordinance. Commissioner Criasia asked that commissioners notify her in the event they plan to attend since if four or more commissioners are present it will constitute a quorum of the Commission and will need to be noticed.

Correspondence:Letter to Select Board re: Docking Structures in Prime Wetlands

Chairman Criasia sent a letter to the Board of Selectmen re: docking structures in Prime Wetlands. Prohibition of docks and docking structures in Prime Wetlands is enforceable at the local level since it is cited in Chapter 10 of the Zoning Ordinance. NHDES also prohibits docking structures in Prime Wetlands.

Public Input:

Liz Cody, one of Center Harbor's representatives on the Waukegan Watershed Advisory Committee (WWAC), informed the Commission of an educational event the WWAC will be holding on July 20, 2022 focusing on cyanobacteria and its impact on lakes. The Commission offered to help publicize the event by posting the flyer on the Town's website.

Ms. Cody also discussed with the Commission of some of the other recent activity of the WWAC.

Adjournment:

Hearing no further business come before the Commission, the meeting was adjourned at 9:47 a.m.

(Next meeting of the Conservation Commission will be at 8 a.m. on Wednesday, August 10, 2022)