

**CONSERVATION COMMISSION**  
**Boscawen Municipal Complex**

**Meeting Minutes**  
**Tuesday, July 16, 2019 @ 7:00 PM**

Members Present: Commissioners Present: Tom Gilmore Chair, Jeffrey Abbe, Norm LaPierre, Lyman Cousens, Mark Kaplan, and Lorrie Carey

Also present: Kellee Jo Easler, Planning & Community Development Director, Alan Hardy, Town Administrator and Rose Fife, Recording Secretary

Absent: none

Guest: Bruce Crawford

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**Regular Business:**

Open By Chair at 7:00 pm

Roll Call by Chair

Review and Acceptance of the Minutes of the June meeting – A **motion** to accept the Minutes was made by LaPierre, seconded by Abbe and passed by a unanimous vote.

Accountants Report – Balance Sheet shows \$193,668.57. Profit and Loss shows a net income \$19,055.49. The Forest Fund has \$34,545.57. The regular budget has no money in it as they forwent their budget money and are paying out of their own conservation monies. Ms. Carey asked if there was an amount of money that was kept in reserve or do they spend things down as they come in. Gilmore said they have no policy and no reserve. Their expenses are well defined. They pay for maintenance and mowing of the Town Forest. Gilmore further explained their funds, income and expenses. Hardy explained that their funds are in a ‘sweep account’. Their net interest is higher this way than what they would have if they weren’t grouped in this manner.

Town Forest Update – Abbe reported. He hasn’t purchased the bag of conservation mix yet. He hopes to get to that this week. He is hopeful to have something for Old Home Day. He hopes that on Sunday 8.25.19 from 10 am to noon they will have a tour. Ray Mercier, OLLI representative, committed to do the history tour and Charlie Niebling, Town Forester, committed to do an active forest tour. He hasn’t heard back from the contacts he has with the Weir family. Cousens ordered a road sign that had the information for Old Home Day. Abbe explained that Tuesday night 8.20.19 Elektrisola is hosting a Wilderness Encounters Group and the commission will have a table and hand out trail maps. Anyone interested can speak with the Commission and they will encourage folks to come on the walk on Sunday. Gilmore asked if they should have their meeting at Elektrisola. Cousens has been in contact with Elektrisola but he hasn’t heard back from them yet. He will stop in to see them tomorrow. Ms. Carey suggested they have additional handouts to give out to the parents at park and recreation’s program when they pick up their children. The last week of summer camp is the week before Old Home Day and they could give them out to the parents at the end of camp season. Ms. Carey will contact the Chairman of the Parks and Recreation committee and see if they will pass out Old Home Day schedules and this information. Kaplan asked if there would be something in the News Vine. Cousens writes the article for the News Vine. He said the walk is included in the article. There will be something in the Merrimack Valley Voice which comes out the first of the month. Abbe asked if there was a theme for Old Home Day. Cousens explained the theme was about Veterans. Abbe reported before the event on Sunday he could ask John Fife to mow the Town Forest one more time.

Creaser Property presentation was made to the Selectmen and the commission requested that the selectmen consider having the property ownership revert to the Conservation Commission and they agreed to that.

Permission was requested the survey be done, which was one of the items recommended in the management report done by Niebling. The selectmen agreed to that. A **motion** to allocate money from the forest account to pay for the survey was made by LaPierre, seconded by Abbe and passed by a unanimous vote. After that is done they may ask Niebling to do a better demarcation. Carey noted that the selectmen were impressed by the report given. Kaplan asked if they were stewards of that land. Gilmore said yes. They want to put an article into the town meeting report to turn the Creaser property into a town forest. If they want to put it into conservation there are other issues they need to deal with. If they are the owners of the property they cannot own the easement also. Other organizations charge a fee. Gilmore reported that if it is a town forest they cannot sell it. But the town, at a town meeting, can revert it back from a town forest and dispose of the property. Ms. Carey asked if someone could ask to amend a warrant article that was made to place a property into a town forest. Hardy said it could happen. Ms. Carey stated that was the risk. Gilmore wanted them to concentrate on having it become a Town Forest this year. Hardy reported that the Town Council explained that the method you use to create a town forest does protect the property if done properly. Gilmore explained that if the town forest is protected, then they don't need a conservation easement on it and that will take care of the problem. LaPierre asked about the \$350,000 that came out of their account to buy the Creaser land. Gilmore explained that the selectmen have agreed that the ownership/control of the property is with the conservation commission.

Role of the Ex-Officio – Gilmore stated that the ex-officio member is a full member of the Board with full voting rights. Gilmore is not pleased with that as it gives the select board too much control. But they are working together. They will research that more before they do their bylaws. They can ask the Selectmen to appoint someone as an advisor not a voting member. Ms. Carey explained that they would have to do that for all the committees to keep things balanced. Abbe felt that it has been to their advantage to have the selectmen's representation. The participation of the town council members with them is essential. They want the participation and involvement, the question is the voting rights. Ms. Carey explained that all ex-officio members vote on all committees unless they are an alternate ex-officio member. Hardy explained that the Planning Board has an ex-officio member voting by State Statute. The select board appoints 6 with the ex-officio being the 7<sup>th</sup>.

#### Old Business:

Natural Resource Update – Gilmore explained that because the subcommittee has 3 members, Minutes will need to be submitted to the commission. They need to note what members were present, what motions were made, what date and time they met, etc. A report to this Board from any subcommittee is necessary. Kaplan asked if that was in writing. Gilmore said correct. Kaplan misunderstood. Carey said RSA 91.a section 91.a.2, section d, circulation of draft documents when finalized are only intended to report decisions made to affect the application, etc. She doesn't believe they needed minutes at all but they did them to be on the conservative side. No decisions were made, etc. Cousens asked why Ms. Carey had an issue with the commission knowing what the subcommittee did. Carey said she had no issue with that. Kaplan will be happy to do the Minutes going forward. Gilmore said there was no action needed on the Minutes they submitted, but the commission wants a report of what went on when they met. Kaplan went over the maps they looked at when they met. He made copies of the maps of the view sheds. There are 6 or 7 views marked on the 2018 Master Plan. Scenic views will be a priority. Gilmore asked if they could have copies emailed to the commission. Kaplan will hand them out. Gilmore will get back to it at the next meeting or send an email to Kaplan, Abbe and Carey. Send all emails to Kaplan with any comments/concerns. They are going to respond to Mr. Tardiff and speak with Niebling about the maps. Gilmore suggested he work with Kellee instead of Niebling as Niebling is a subcontractor and Kellee is a town employee who is compensated accordingly.

Review & Acceptance NRI Sub-Committee DM 06.27.19 – no action necessary or taken.

Contract CNHRPC – Easler gave Gilmore a contract that meets the commission's criteria of \$4,000 for expense. The commission needs to go over it and sign it. Compensation will be \$4,000. Payable in 2 payments. Kaplan

wanted a copy. Gilmore asked Easler to give the commission copies of that. A **motion** to authorize the chairman to sign the contract after they find it acceptable was made by Cousens, seconded by Carey and passed by a unanimous vote. Kaplan said there may be a need for more time from the Commission i.e. maybe an added hour onto their meeting time. Cousens asked if they were working with Mr. Tardiff or one of the Planners. Kaplan said both.

August Site Walk Update Map 81, Lot 24 5 pm 08.20.19 – they will need to reschedule to September meeting at 5 pm. – gravel pit.

New Business:

Permits and Reviews – none.

Recommendations of Appointment

Jeff Abbe September 2019/2022 – A **motion** to recommend Abbe for another 3 year term was made by Cousens, seconded by LaPierre and passed by a unanimous vote.

Class VI Roads – Hardy reported on it. The issue they are running into is buildable land is a commodity right now. There is interest for some lots that are reasonably priced but are on a Class VI road. There is a 4 acre lot on the town line of Stirrup Iron Road. That lot is on the Class VI road and not buildable. The town has decided to discontinue as those roads are no longer maintained or buildable. The Merrill Corner lot is 60% on the water; swamp land. The commission may be asked to look at it and clarify the concerns with that property. There are 2 lots, 4 acres and 7 acres and they are not buildable. If they ask someone on the commission to go out it is just to bring back a description of what exists. Gilmore said that the commission has control over wetlands. They need to sign off on a document to allow them to cross those roads. Hardy reported that the statute allows the towns to make the decision whether or not they would allow building permits on Class VI road.

By-Laws Update Draft – Gilmore suggests it is postponed to the September 2019 meeting. They will review it and Gilmore will pass them out to everyone. No action taken.

Public Hearing following month.

Committee went into Non-public session at 8:10 pm.

Commission came back into Public Session at 8:31 pm.

A **motion** to seal the non-public session Minutes was made by Cousens, seconded by Kaplan, and passed by a unanimous vote.

Cousens was concerned with the date of next meeting as it is Elektrisola's night. Gilmore said they may have the meeting before or after that. Cousens said the Elektrisola's meeting starts at 5 pm and should be over by 7 pm.

A **motion** to adjourn the meeting was made by Kaplan, seconded by LaPierre and passed by a unanimous vote.

Next Meeting: August 20, 2019 at 7 pm

*Respectfully submitted,  
Rose Fife, Recording Secretary*