

## DEERFIELD CONSERVATION COMMISSION

*1967 - FIFTY YEARS AND COUNTING - 2017*

Meeting Minutes – **June 12, 2017**

**Members Present:** Serita Frey, Kate Hartnett  
**Members Absent:** Erick Berglund, Jim Deely, Wes Golomb  
**Visitors:** John Duffy, Tim Mallette, Phil Bilodeau

**At 7:05 pm** Chair Serita Frey called the meeting to order. Chair Frey noted that the members present would meet with the visitors and discuss agenda items, but that **no votes would be taken due to the lack of a quorum.**

**John Duffy, President of the Pleasant Lake Preservation Association (PLPA) and PLPA Volunteer Tim Mallette** presented plans for the re-grading of Gulf road. The purpose of the project is to divert storm water runoff away from the lake and more specifically to “*capture, infiltrate and treat runoff before discharging into the wetlands north of the NH Fish and Game parking area*”. The plans will be sent to NHDES as part of the permit application process. PLPA is also working with Mark Young (Deerfield Highway Agent), the Dam Bureau, NH Fish & Game and the Deerfield Planning Board to implement the project.

In 2014 the Southern New Hampshire Planning Commission (SNHPC) applied for grant funding on behalf of the PLPA for the **development and implementation of a Watershed Restoration Plan to address key water quality issues the lake is experiencing.** The plan was completed in 2016. **The Gulf Road project is part of the resulting plan,** and is being implemented to reduce elevated levels of phosphorus near the boat launch which was identified as a significant source of the pollutant. In addition, PLPA has embarked on a campaign to increase awareness among private property owners around the lake, suggesting improvements they can make to reduce storm water runoff into the lake, including the use of shoreline buffers.

Members reviewed the project plans, commended the volunteers for their use of science to formulate a plan to solve complex problems, and applauded their phenomenal outreach efforts. Visitor Phil Bilodeau commented on the creativity of the plan, given the constraints of the site.

### **Membership:**

**Resident Ben Miner** was invited to meet with the members to discuss his potential membership on the commission. Member Jim Deely, who will be resigning, recently spoke with Mr. Miner and suggested he consider membership on the DCC. Mr. Miner shared his background with the members, expressing his interest in trails, hiking and the outdoors, and his desire to become more involved with the Town.

**Members will vote on both Mr. Miner’s and candidate Haley Andreozzi’s memberships at its July meeting,** and if approved, will present their names to the BOS for appointment. Ms. Andreozzi’s term of office would run **through April 30, 2019** which is the balance of former member Deb Campelia’s term. Mr. Miner’s term would run **through April 30, 2020** which will be the balance of Mr. Deely’s term. Filling a seventh open position would bring the DCC back up to full membership. Applicants and volunteers are encouraged to speak with Serita Frey or any of the DCC members.

**Approval of Minutes:** Given the lack of a quorum, approval of the **minutes from the May 8th regular meeting** will be considered at the July meeting.

**Finance:** Due to his unexpected absence, Mr. Berglund emailed reports for the **March and April Conservation Fund balances.** Summary balances for March and April were previously reported in the May 8<sup>th</sup> minutes as \$317,180.93 and \$323,773.86 respectively. It had been noted that these balances did not reflect the advance payment to Berry Engineering of \$4000 for the Boisvert survey. The updated balances were reported as follows:

- **March 31, 2017 - \$316,380.93** – Includes interest of \$67.33
- **April 30, 2017 - \$322,973.86** – Includes interest of \$65.71 and \$6,527.22 representing DCC’s 50% portion of Land Use Change Tax for January-March 2017.

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### Northern Pass Update:

DCC was copied on a notice to the town that on 6/1/2017 the N.H. Dept. of Environmental Services (NHDES) had accepted a Wetlands Program Permit application (NHDES File # 2017-01534 – Cate Rd – Map 408 Lot 49) – *Northern Pass Soil Test Pits for Seasonal High Water Table Investigation*. The project description is for the proposed “... excavation and examination of two soil test pits at the Deerfield Substation expansion site to examine subsurface soil and geological conditions which are needed for final design of Northern Pass project elements”. The notice further stated that if the municipal conservation commission intended to intervene, they must submit comments to NHDES pursuant to RSA 482-A:11,III by June 14, 2017.

Resident Phil Bilodeau, whose property abuts the substation, was surprised by the new application since the original, conditionally approved wetland permit, granted for the entire route, had addressed the substation expansion. **Mr. Bilodeau noted that in May of 2016, DES had suggested re-siting the expansion further south and west.**

**Resident James Page has also reviewed the application.** Mr. Page had previously contacted DES with documentation of severe impacts to wetlands resulting from the NPT geotechnical borings that occurred in November of 2016. In April of 2017 Mr. Page again wrote to the DES high-lighting damage resulting from **road building activity through wetlands located at 27 North Rd., Map 210 Lot 54**. At that time, Mr. Page shared his concerns with the DCC after which member Kate Hartnett met with DES staff on 4/27/2017 regarding those issues and received conflicting feedback. (See also *Regulated Wetlands* below)

In view of the need to minimize overall impacts, **Ms. Hartnett will have a discussion with Mr. Page and formulate a response to the DES regarding the new test pit application prior to June 14<sup>th</sup>**. The report will address current complaints and reference Mr. Page’s previous correspondence with the DES regarding degradation of the site. Additionally, it will high-light NPT’s past history of not following BMP’s, the need for on-site monitors and special precautions to be taken to protect nesting turtles and reptiles.

### Easement Monitoring/Stewardship:

#### Freese Town Forest:

**Members discussed an email from Bear-Paw regarding boundary work performed on May 8<sup>th</sup> at Freese Town Forest.** Frank Mitchell worked with volunteers from Liberty Mutual to “paint all existing blazes and put medallions up at regular intervals”. A map of the areas completed was attached.

Mr. Mitchell observed that **a few beech trees had been cut behind an adjacent residence**, and noted the existence of a **trail bike path through a breach in a stone wall**, noting that it had not been heavily or recently used. The clerk will contact Frank Mitchell to pinpoint the location of the activity.

#### Lindsay Flanders:

An email from Frank Mitchell summarized the trail work at **Lindsay-Flanders**. **Mr. Mitchell, Alan Perkins and Deb Campelia extended the existing trail** on the property. **Mr. Mitchell recommended acceptance of the previously proposed new loop section** with some **suggestions for the Nicholl’s Brook crossing** to prevent erosion and alternatives that could provide for a safer, more level crossing, especially during high water and ice-covered conditions. The issue of **old tires and remnants of an aerial cable** from an abandoned rope course on the old trail, noted in previous monitoring reports, has still not been fully resolved. **Mr. Mitchell recognized Alan Perkins and Deb Campelia for their contributions to the stewardship of this trail**. Ms. Campelia noted that the area was a “...perfect opportunity for **community use (and) education, being right at the town center and adjacent to the athletic fields**”. It is hoped that her vision will become a reality by the time she returns from her service in the Peace Corps! **Serita Frey will follow up with Dan Kern of Bear-Paw on the acceptance of the previously proposed new loop section.**

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### Curry Easement:

**Monitoring this easement, which is part of the Great Brook Corridor, is still on hold, pending response from the owner.** Deb Campelia had previously monitored this large, beautiful parcel accompanied by Hilary Miner. Serita Frey felt it would be beneficial to find someone who would become familiar with and commit to monitoring the property annually. Ms. Frey also suggested that marking the boundaries with medallions would facilitate monitoring in the future.

**DCC Clerk, Judy Marshall** summarized her attendance at a presentation hosted by Sylvia von Aulock, Deputy Executive Director of the Southern NH Planning Commission (SNHPC), and given by Paula Bellemore, Natural Resource Specialist of the *Land and Community Heritage Investment Program (LCHIP) on Stewarding Conservation Land*. Points included the **need for policies and procedures, the legal and moral obligations of annual monitoring, response to violations, amendment policy principles, record keeping and stewardship funding**. Ms. Bellemore emphasized the importance of good monitoring practices in LCHIP's selection process for funding.

### Easements & Land Protection:

**Project #31:** Serita Frey is scheduled to meet with the BOS on 6/19/2017 to discuss the proposed project. Ms. Frey will continue to work with Bear-Paw to put together the LCHIP funding application. Chair Frey explained that the sale of Moose Plates supports the *Land and Community Heritage Investment Program (LCHIP)*.

### Town Forest Protection – Boisvert Town Forest:

Serita Frey will follow up with Dan Kern from Bear-Paw on the status of the survey of the property.

**The DCC has received an email from Fred Borman, UNH Cooperative Extension** requesting assistance in obtaining data for the **Town Forest Project**. Mr. Borman is in the process of identifying town-owned forests and conservation lands in Rockingham and Hillsborough counties greater than 10 acres in size. In addition to detailed information about the parcels, Mr. Borman is seeking to identify town properties with Town Forest Status per RSA 31:110, the establishment of which would have required passage of a warrant article for that purpose. DCC Clerk, Judy Marshall is in the process of collecting information and will be in contact with Mr. Borman.

### Regulated Wetlands:

#### NEW Wetland Notifications:

- **DES – Northern Pass Substation Test Pits) - DES 6/1/2017 Acceptance – FILE #2017-01534**  
(See Northern Pass Above)

#### PRIOR Wetland Notifications – **PENDING DCC REVIEW:**

- On 4/11/2016 DCC was copied on a **DES Land Resources Management File #3195 (Deerfield Map 210 Lot 54, North Rd)** notifying owner Joseph Reed of **reported disturbance of land without a DES Alteration of Terrain permit or proper authorization**.
  - In a follow-up with DES to determine why a permit had not been issued for the ongoing work, Kate Hartnett was informed that DES does not require an Alteration of Terrain permit if the area being disturbed is less than 2.2 Acres. The complaint that resulted in the April 11, 2016 correspondence from DES (File #3195) to the land owner indicates a disturbed area of 2.5 to 3 Acres. DES subsequently determined that the area of disturbance was less than 2.2 Acres.
  - At the request of the Chair, the DCC Clerk contacted the Deerfield Building Inspector and determined that no permits were issued by the town and that the work in the wetlands under the power lines was utility work being performed by PAR Electric for PSNH/Eversource and was unrelated to NPT. (No further actions regarding the AOT permit – See also Northern Pass report above).

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- **Wetlands and Non-Site Specific Permit 2016-03539**  
**4 Loon Ledge (Pleasant Lake) Map 207 Lot 19 – Thomas G. Thorne - Addresses shoreline impacts.**
  - On 2/14/2017 DES issued **Permit 2016-03479** addressing **structural impacts**. It is unclear if an application received by the Town on 12/14/2016 pertains to one or both of these permits
  - The DCC clerk has contacted the Building Inspector and it was determined that no building permits were required for the work described in the application or on either of the permits.  
(Serita Frey has reviewed the permits. No further action to be taken by DCC)
- **Shoreland Impact Permit #2017-00471 – 3 & 4 Iver Johnson (Pleasant Lake) Map 207 Lots 35 & 40 Joseph/Susan Reed – 45 Cotton Rd – Deerfield**  
**Permit Description:** Impact 5,220 SF of the protected Shoreland in order to construct a new garage, install new septic system, and landscape.
  - Above Shoreland Impact Permit was issued but no application was received by DCC or the town for review prior to issuance of the permit. Repeated calls to the DES by Deputy Town Clerk Kelly Roberts have not been returned.
  - The DCC Clerk contacted the Building Inspector and determined that permits for the garage and septic system had been approved. The Building Inspector's practice is to tell residents to apply for a Shoreland permit even if he does not believe one may be required based on his knowledge.  
(No further action to be taken)
- **Wetlands Utility Maintenance Notification – PSNH dba Eversource Energy**  
Conduct maintenance on the G-146 transmission line to ensure the continued safe and reliable operation of Eversource's transmission & distribution systems. Notification received 1/18/2017.
  - Kate Hartnett noted that this permit for annual wetland maintenance only identifies 3 areas of impact; however, work is being performed on 4 areas.
  - Kate Hartnett will continue to monitor work being performed in the wetland
- Info card from : **Vegetation Control Service, Inc.**, 2342 Main St., Athol, MA 01331  
(800) 323-7706 [www.vegetationcontrol.com](http://www.vegetationcontrol.com) (Future follow-up by Kate Hartnett)

### Announcements/Correspondence/Reminders:

DCC acknowledged the outreach efforts of resident and friend of the DCC Racheal Stuart. Ms. Stuart submitted an article to the FORUM to increase awareness of turtle nesting activity; asking that motorists be alert and slow down for "lady turtles" crossing town roadways.

Resident, Mark West has posted new "Turtle Crossing" signs on Nottingham Road.

Chair Serita Frey Adjourned the meeting at 8:30 pm.

**The next meeting is scheduled for Monday, July 10, 2017**

*(Please check the website for scheduling changes)*

[townofdeerfieldnh.com](http://townofdeerfieldnh.com)

*The draft minutes were prepared and submitted by Judy Marshall. Final revisions to these minutes are contained in the minutes of the following meeting, after approval by the Deerfield Conservation Commission*