

DEERFIELD CONSERVATION COMMISSION
1967 - FIFTY YEARS AND COUNTING - 2017
Meeting Minutes – **July 13, 2020**

Roll Call Attendance: Haley Andreozzi, Erick Berglund, Serita Frey, Wes Golomb
Members Absent: Brian Adams
Visitors & Guests: None (via phone link)

Pursuant to Governor Sununu's *Emergency Order #12*, the Deerfield Conservation Commission met electronically and did not provide a physical location for the public to attend. In order to provide access to the public, a conference phone line and meeting ID number were established and posted in the official Meeting Notice.

PHONE NUMBER: 312-626-6799 Meeting ID: 634 101 4902

Chair Serita Frey opened the regular meeting, at 7:08 pm.

Marston Family Town Forest: 128 Acre Parcel

In her 6/29/2020 email Katrina Amaral of Bear-Paw provided a **final, "clean draft"** of the easement deed (**File name: Deerfield Pendleton Easement 202005**) anticipated to be conveyed to Bear-Paw Regional Greenways for the 128-acre donated parcel. Members voted at the April 13th meeting to accept the edited version of (**File name: Deerfield Pendleton Easement 20200413**) which included the revisions agreed to at the March 9th meeting. Members had been asked to review and confirm that the **"clean draft" included both the March 9th and the April 13th requested revisions. Absent further revisions, version Deerfield Pendleton Easement 202005 will be considered the final, approved version.**

Members also voted on April 13th to accept the terms outlined in (**File Name: 20200413 Deerfield Pendleton Grant of Conservation Restrictions to LCHIP**) which will convey an executory interest to LCHIP. Passage of a warrant article in March of 2021 seeking to designate the parcel a Town Forest under RSA 31:111 and to convey the easements will complete the requirements for the Conservation Fund to be reimbursed for \$50,000 previously paid into the project. Although DCC was assured by Ms. Amaral that LCHIP had granted an extension of the grant deadline to 2021, Serita Frey was not able to obtain a written confirmation from Bear-Paw.

Approval of Minutes: Serita Frey moved: *To approve the minutes of the June 8th meeting.* The motion was seconded by Haley Andreozzi. **The Clerk noted that she had revised the June minutes, correcting the acreage of the Gulf Rd. property, Map 204 Lot 35 from .12 acres to .23 acres.** Serita Frey, Wes Golomb, Erick Berglund and Haley Andreozzi voted to accept the minutes as amended.

Finance: Erick Berglund reported that the May bank statement was not available but that the *unofficial balance in the conservation fund at the end of June was \$220,304.06* including interest of \$45.14. The anticipated 50% portion of the 2nd quarter 2020 Land Use Change Tax of \$25,232.66 is expected to be deposited to the Conservation Fund in July. Mr. Berglund moved: *to approve payment of a legal bill from Upton & Hatfield in the amount of \$345.00.* Wes Golomb seconded the motion with Serita Frey, Wes Golomb, Erick Berglund and Haley Andreozzi voting in favor of the motion.

Regulated Wetlands & Shorelands – Permits/Applications:

13 Gulf Rd - Map 204 Lot 35: At its April meeting, members discussed an email from a Northwood resident concerning wetland impacts to the parcel. An NH DES Shoreland permit, **DES File #2019-03485**, was posted at the property allowing **impacts to 3,500 sq. ft. in order to construct a driveway and parking area.** A 6/16 conversation with the Building Inspector revealed that the owner originally drew up his own plan and began to clear the lot in the fall of 2019. The rutting observed during a site visit by Erick Berglund in April may have been the result of the owner's attempts to clear the lot himself. Further attempts to stump the lot were halted.

The owner has since contracted Wetland Scientist Alden Beauchemin of Keyland Enterprises, LLC who provided pre and post construction plans for the project, recommending that impacts not exceed 2,500 sq. ft. of developable area. Per **Section 330.6 (page 61) of the Deerfield Zoning Ordinance, development in the Watershed Protection Overlay District that will render post-development impervious surface of 20% or less, or 2,500 sq. ft. of the entire lot (whichever is greater), requires submission of a Minor Watershed Application for review and approval by the Building Inspector.** The Building Inspector anticipated reviewing the plans with Selectman McGarry.

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145 South Rd - Map 420 Lot 57: Wes Golomb shared his observations of the alterations that have been made to the lot during the past year with the addition of a paddock and an arena, and trenching in an apparent attempt to improve drainage. The excavation resulted in mounds of soil being pushed into a wetland area and piled along a stone wall that forms the western property boundary, causing drainage problems and spring flooding of an abutting property. It is not known if the completion of the stone-filled, covered trench drainage system will correct the flooding. A small stream located on the property did not previously pose seasonal flooding issues. **Town assessing maps indicate that a wetland covers a large portion of the lot and based on the observations of others, there have likely been impacts to the wetland.**

After discussion of various options, **it was decided DCC would draft a letter to NH DES, asking them to inspect the area and determine if a wetland violation exists.**

5 Pond View Lane – Map 206 Lot 26 & 22: DCC received a copy of a **Shoreland Impact Permit #2020-01064 dated June 17, 2020.** The permit described impacts to *10,605 sq. ft. of protected shoreland to demolish the nonconforming primary structure and to construct a more nearly conforming primary structure with attached garage, driveway, deck, patio and staircase; plus, relocate the existing septic tank.* Lot 26 has shoreline on Pleasant Lake and Lot 22 is situated behind and across the road from lot 26. Plans for the project dated 5/7/2020 were submitted to NHDES by Farwell Engineering Services, LLC. DCC was not copied on the plans submitted to DES for their approval. Serita Frey will contact John Harrington to determine why DCC has not been receiving copies of the plans and applications prior to DES issuing the permits.

Easements and Land Protection: Bear-Paw (Mathes) North Rd: A conservation easement originally conveyed to Bear-Paw on the Mathes North Rd property, was followed with a transfer of the fee ownership of the property to Bear-Paw. The Town contributed the transaction costs for the acquisition and holds an executory interest in the parcel. Recognizing that an owner of a property cannot hold an easement on itself, an email from **Bear-Paw asked if DCC preferred to have Bear-Paw transfer the easement deed to another land trust or to transfer ownership of the property to the Town.**

Members decided that it was inappropriate for Bear-Paw to convey fee ownership to the Town since it was not originally the intent of Nancy Mathes to do so. Conveying an easement to the Town was also unacceptable to the members since it would convey all the responsibility and no benefit from the transaction; the parcel remains conserved, and the Town continues to hold an executory interest in the property, which was the original goal. **The consensus was that It will be up to Bear-Paw to remedy the situation.**

Town Forests and Conservation Areas – Permitted Use Matrix: Review of the matrix and a discussion on allowing horseback riding on trails within the Town Forests and Conservation Areas was tabled until the August meeting. DCC will reach out to individuals who may have an interest or experience in this area.

Stewardship/Easement Monitoring:

Lindsay-Flanders: DCC was notified that there is evidence of 4-wheeling taking place on the trails at Lindsay-Flanders. **In 2017 breaches in the stone wall were blocked and signs warning against motorized vehicles were posted.** A letter was sent to the abutters with copies to the BOS and the Deerfield Police. Erick Berglund will follow up on the complaint.

Brown’s Mill Corey Wildlife Open Space Subdivision: In order to assist DCC in its monitoring of the property, **Frank Mitchell provided photos and a report of the findings from his site visit to the property on July 7th.** Mr. Mitchell confirmed that the required restoration plans had not been implemented. Most of the site has naturally revegetated with a “variety of dry site herbaceous plants, including some grasses and small shrubs”. Mr. Mitchell recommended against further disturbance, with the exception of removing the invasive Autumn olive, and “mowing every year or two outside the growing season” to discourage tree growth.

Jim Oehler from NH Fish and Game is familiar with the site, having made the original recommendations for restoration. In his July 13th email to Frank Mitchell, **Mr. Oehler noted from an earlier visit that the debris and trash on the site**

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had been removed and the slope had been excavated. Mr. Oehler plans to make an informal visit to the site in the near future.

Former member Kate Hartnett, who reached out to Frank Mitchell and Jim Oehler on behalf of the DCC, has also offered to contact member Brian Adams and ask him to consider using his brush cutter for the biennial mowing. Haley Andreozzi commented that had the original plan been enacted, the invasives would likely not have occurred and wondered if the plants were small enough to be dug up by hand. Serita Frey will ask Frank Mitchell and Jim Oehler to weigh in on the question.

Scenic Roads: DCC received an email from a resident expressing concerns about the repairs and paving planned for Candia Rd. which is a designated *Scenic Road*. Trees have been marked for removal and a number of residents have objected to the plan. Although some of the marked trees are dead, they still provide habitat for wildlife; however, failing to remove a marked, dead tree becomes an insurance issue. A walk with the Road Agent was arranged and according to Erick Berglund who attended the walk, **there was recognition among the attendees that trees would need to be removed to allow for ditching, road repair and mitigation of water problems on Ridge Rd., but it would need to be a cooperative effort.** The BOS has arranged for a public hearing (7/20), as will the Planning Board at a future date.

Turtle Crossing Signs: Serita Frey has confirmed that this fall, resident Chris Carr will remove the seasonal *Turtle Crossing* signs that have been erected in four locations on Nottingham Rd. DCC will continue to seek out an individual who can hinge the signs, eliminating the need for annual fall removal and spring placement.

Announcements and Correspondence:

Haley Andreozzi circulated information about *Connect the Coast*, ...an effort led by The Nature Conservancy in partnership with NH Fish & Game and others, to identify important linkages for wildlife in the coastal watershed. The full report can be found at: www.nature.org/CTCreport. The report can be another tool for determining the conservation value of a parcel, much like the Wildlife Action Plan and Bear-Paw green infrastructure maps are now. A map specific to Deerfield ...identifies prioritized habitat blocks, wildlife corridors, and road segments for our town.

DCC received an electronic copy of *A Conservation Land Stewardship Guide for Municipal LCIP Properties* from Jocelyn Duffy of the *Conservation Land Stewardship Program – NH Office of Strategic Initiatives*. The guide is intended to be a tool for easement monitors of LCIP properties.

Wes Golomb recently completed training on a climate simulator developed at MIT which allows testing of various responses to climate change. Mr. Golomb is interested in presenting a workshop, challenging us to *think globally and act locally*. Mr. Golomb will post information on Facebook.

The meeting adjourned at 8:44 pm.

The next regular meeting is scheduled for Monday, August 10, 2020

(Please check the website for scheduling changes)

townofdeerfieldnh.com

These minutes were prepared and submitted by Judy Marshall. Revisions, if any, will be contained in the minutes of the next meeting and posted to the Town website, after approval by the Deerfield Conservation Commission