

DEERFIELD CONSERVATION COMMISSION

1967 - FIFTY YEARS AND COUNTING - 2017

Meeting Minutes – September 14, 2020

Roll Call Attendance: Haley Andreozzi, Erick Berglund, Serita Frey, Wes Golomb, Brian Adams (7 pm-8pm)

Members Absent: None

Visitors & Guests: Lindsey White (GZA), Jeni Menendez & Elise Ward (Eversource)

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 7:00 pm.

Eversource CUP:

Lindsey White (GZA Geoenvironmental, Inc.), Jeni Menendez and Elise Ward (Eversource) will be approaching the Deerfield Planning Board on September 23rd with an application for a Conditional Use Permit for its 373 Transmission Line Optical Ground Wire and Structure Replacement Project. Meeting with Eversource gives DCC members a preliminary review of the plan and an opportunity to make comments or recommendations ahead of the Planning Board meeting to address potential impacts to the *Town of Deerfield Wetlands Conservation District*.

According to the application, the work will take place along the 373 Transmission Line which is located within an existing 270-foot wide utility right-of-way, beginning south of Brown Rd and continuing for 3.8 miles to the Deerfield Substation off Cate Rd. Optical Ground Wire (OPGW) will replace existing static wire...*serving to shield conductor wires below it from lightning and serve as a telecommunications path for internal and third-party communications*. The project will require replacement of four utility poles, with structures of increased height; one off Reservation Rd. and three off Nottingham Rd.

19,810 sq. ft of temporary wetland impacts are anticipated for access and work pad placement. Timber mats and erosion controls will be used to minimize impacts and GZA will regularly monitor the work sites to ensure adherence to DES BMP's. A Statutory Permit by Notification (PBN) is to be filed with the NHDES and will include reviews by the NH Natural Heritage Bureau and NH Fish and Game. Given the current dry conditions, erosion controls will be monitored to ensure that vegetation has grown this fall to protect the area from a wet spring in 2021. The site will be restored as nearly as possible to its original condition per the Deerfield Zoning Ordinance.

The replacement structures will be located 10 feet away from the old poles to minimize disturbance of the area and increase stability. Distancing the new structures from the existing poles will allow line crews to safely pull the wires without the need for a full outage. Old poles located in upland areas will be completely removed. Poles in the wetland areas will be cut above ground, leaving the butts in the ground to minimize impacts to those locations.

Members did not feel the need to give formal feedback to the Planning Board, assuming Eversource meets its commitment to monitor throughout the project, and adhere to BMP's and precautions discussed.

Regulated Wetlands & Shorelands:

Review #2020-04: DCC has been investigating potential wetland impacts to an area at the request of a resident.

Based on observations during a site visit, members reviewed an aerial map representing areas of ground disturbance along a stream that cuts through the work area, extends beyond the property, and empties into the Lamprey River to the east. The area along the stream is wet. Fill and drainage pipes have been stacked up along the stream and a section has recently been neatly filled with sand and soil and smoothed out. Three culverts across the stream appear to have been constructed this year and there is evidence of ditching along the stream between the second and third culverts (west to east). It also appears that drainage pipes are currently being placed under a roadway to the north of the stream in an effort to improve drainage.

Members questioned whether a permit should have been required for the work that appears to be occurring in a stream. A letter will be drafted to the DES requesting their review.

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Review #2020-02: DCC has not heard from NHDES in response to a July 29th request for an investigation of this potential wetland violation. **The clerk will follow up with DES.**

Stewardship/Easement Monitoring:

Boisvert Town Forest: DCC was notified in August that the **Town of Epsom had posted *No Trespassing* signs on Dow Rd in Deerfield**, believing that the road was in Epsom. Their action blocked access to Deerfield's Boisvert Town Forest. Epsom also claimed ownership of a privately-owned Deerfield parcel crossed by Dow Rd. A member of the Epsom BOS has since acknowledged that both the road and the parcel it crosses are on the Deerfield side of the Town line, a fact which is supported by the 2011 Epsom/Deerfield perambulation report and aerial map. **The Deerfield BOS will communicate with the Town of Epsom to ensure that the matter is cleared up.**

Lindsay-Flanders: At the August DCC meeting, **Erick Berglund confirmed a resident report of probable ATV traffic** and other prohibited activities in the Town Forest. Mr. Berglund hopes to revisit the site with volunteers Alan Perkins and Frank Mitchel in the coming weeks.

Approval of Minutes:

Serita Frey moved: To approve the minutes of the August 10th meeting. The motion was seconded by Erick Berglund. Serita Frey, Erick Berglund, Haley Andreozzi and Wes Golomb voted to accept the minutes as written.

Finance:

Conservation Fund: **The unofficial *statement balance in the conservation fund at the end of August* was \$244,902.62** including deposits of the 50% DCC portion of Land Use Change Tax of \$25,232.66 and Interest of \$51.34. The balance is net of Upton & Hatfield payments totaling \$732.09 reflecting a reallocation of the expense from the DCC 2020 budget funds to the conservation fund. Mr. Berglund explained that in order to expedite processing of legal invoices, the payment is initially paid by the Town from DCC's budgeted funds. An adjustment to allocate the expenditure to the conservation fund is made, if appropriate, after final approval by DCC's Financial Officer.

FY 2021 Budget: **Erick Berglund moved to approve a proposed budget for FY 2021 of \$3,299.00** reflecting a slight decrease from the 2020 budget. Members Serita Frey, Erick Berglund, Haley Andreozzi and Wes Golomb voted in favor of the motion.

Easements and Land Protection:

Reservation Rd: Serita Frey will inquire about the **results of the September 12th auction** of Town-owned, tax deeded properties. DCC had been interested in retaining the Reservation Rd. parcels for conservation purposes; however, it was determined that sufficient conservation funds were not available for DCC to enter a bid.

Marston Family Town Forest: 128 Acre Parcel: Katrina Amaral of Bear-Paw will attend the October DCC meeting to discuss the proposed warrant article that will confer Town Forest status on the parcel and convey easements to Bear-Paw and LCHIP. The updated easements are required by the State for the Town to obtain reimbursement of \$50,000.00 for project acquisition costs previously paid by the Town.

Members discussed and agreed on the following draft for the proposed wording of the 2021 warrant article:

*To see if the Town shall vote to designate the 128-acre Town-owned **Marston Family Forest**, a Town Forest as defined in RSA 31:111 and to convey **an (updated) conservation easement (pursuant to NH RSA 477:45-47)** to one or more qualified conservation organizations which will **(continue to)** permanently restrict its use to open space purposes, including wildlife habitat conservation, forestry, and recreation.*

The above language was adapted from the warrant article that conveyed permanent protection and Town Forest status on the Boisvert Town Forest in 2014. The proposed wording additionally reflects the fact that the donated **parcel is currently encumbered by a 1991 conservation easement conveyed to LCIP by Mary Pendleton.**

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Passage of the warrant article and conveyance of the easements will complete the requirements for the Conservation Fund to be reimbursed for \$50,000 previously paid into the project. ***Receipt of the State grant funds through the LCHIP program is contingent on the conveyance of the two easements which will overlay the original 1991 Pendleton LCIP easement*** which will continue in force regardless of passage of the warrant article. The language of the additional easements conforms to State guidelines and reflects current *best practices*.

The proposed warrant article will be reviewed by Attorney Raymond prior to submission to the BOS. An explanatory piece should be prepared to appear beneath the article when it appears in the 2021 Voters' Guide, as well as a plan for an educational campaign to promote passage.

Announcements/Correspondence/Reminders:

Bear-Paw Conservation Commission Gathering – Tentative Date - October 19th

Bear-Paw will be hosting a gathering for conservation commissions to participate in a discussion of a variety of topics including: ATV damage and control, priority areas for Bear-Paw and towns, stewardship issues during COVID, signage, closing/gating of Class VI roads, land use change tax, planning board and select board positions.

Member Brian Adams has volunteered to attend on behalf of the DCC. Members will have an opportunity to gain some insight into the agenda from Katrina Amaral at the DCC October 19th meeting.

Pleasant Lake Preservation Association (PLPA):

DCC was informed by the PLPA about the “New Hampshire Lake Trend Report: Status and trends of water quality indicators”. *The report documents long-term trends and short-term changes to the ecological condition of 150 lakes and ponds in New Hampshire that participate in the volunteer lake assessment program.* Subsequent reports are scheduled to be released in five-year increments. PLPA recommended reviewing page 85 of the report.

The following is a link to the report: <https://www.des.nh.gov/media/pr/2020/20200831-lake-trend.htm>

Button-Up Workshop:

The Deerfield Energy Committee is sponsoring a Virtual Button Up workshop designed to help homeowners who would like to make their homes more energy efficient. This is free workshop and open to anyone who is interested.

Email WesGolomb@gmail.com for questions and ZOOM link.

DCC October Meeting Date:

DCC's **October meeting will be held on October 19th** instead of the usual 2nd Monday of the month which falls on “Indigenous Peoples Day”/”Columbus Day” holiday.

The meeting adjourned at 8:30 pm.

The next regular meeting is scheduled for Monday, October 19, 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