

DEERFIELD CONSERVATION COMMISSION

1967 - FIFTY YEARS AND COUNTING - 2017

Meeting Minutes – September 13, 2021

Roll Call Attendance: Brian Adams, Haley Andreozzi, Josh Freed, Serita Frey, Chloe Gross, Wes Golomb, Erroll Rhodes
Members Absent: Brian Adams, Wes Golomb, Jo Anne Bradbury (Alternate)
Visitors & Guests: None

Serita Frey opened the meeting at 7:05 pm.

Planning/Zoning: The Planning Board will be re-opening discussions on amending the **Deerfield Zoning Ordinance Section 210 - Wetlands Conservation District**. The current version was approved by vote of the Town in 2020; however, the Planning Board feels that the regulations contained in the 2020 version are not flexible enough. **DCC members questioned the nature and number of issues encountered by the Board** (asking whether the issues were perceived or actual), and are requesting data supporting the need for new revisions. DCC plans to be represented at the 9/22 Planning Board meeting.

Josh Freed was asked for his input on the ZBA variances recently approved by the Zoning Board. Mr. Freed explained that they are typical of variances granted to properties that are rebuilds of previous structures. The two in question were both lake properties on non-conforming lots. Given the already diminished size of the lots, the Planning Board usually issues variances to the setbacks in these cases. The new wetland zoning did not change the frequency of this type of variance. The new zoning has the greatest impact on developers and subdivisions. The main issue with the wetland zoning ordinance is that an isolated wetland would need to be less than ¼-acre in size to be eligible for a reduced setback of not less than 50 feet.

Membership:

Serita Frey will reach out to Jim McDonald and Jim Deeley, both of whom have expressed an interest in membership. Chair Frey will extend an invitation to our next meeting.

Easements and Land Protection:

McCarron Rd Subdivision – Map 413 Lot 7:

NH DES Land Resources Management (File #2011-02869) has approved the amended restoration plan subject to conditions, and issued a permit to R& C Eastern Development LLC. On 8/25, Sylvia von Aulock notified the Planning Board that **neither the Town of Deerfield, nor the Rockingham County Conservation District, has any interest in taking over a conservation easement** as previously required for Planning Board approval. It is now agreed that the proposed protected area will revert back to Map 413 Lots 7.9 and 7.10 and that the restricted area is to be shown on their respective deeds as non-buildable and non-subdividable.

Project 39 - Adami/Cote – 24.76 Ac: Mountain Rd/Nottingham Rd:

DCC received a **funding request from Bear-Paw for transaction costs in the amount of \$6,500**. Total transaction costs of \$13,600 are anticipated to be offset by a grant of \$7,100 from the *Great Bay Resource Protection Partnership*. According to the description in the funding request, the property “...abuts multiple existing conserved lands and falls within a coastal watershed priority area and Blanding’s turtle habitat focus area.” Of the 26.76 acres, **24.76 acres would be held in easement**. 2 acres are to be excluded from the terms of the easement for the off-grid house and curtilage. Katrina Amaral previously offered to facilitate a site-visit.

Asked if a warrant article would be appropriate to fund the project, Serita Frey explained that **DCC promotes the donation of easements** for which these smaller amounts for transaction costs are more-appropriately provided from the Conservation Fund. In turn, the **Town holds an Executory Interest in these easements** (if the primary conservation easement is conveyed to a qualified land trust such as Bear-Paw). **A public hearing and BOS approval precede the disbursement**. DCC members vote to authorize and release the payment. Grants are also sought to supplement DCC’s contributions for transaction costs, and for larger projects, to contribute to the purchase of an easement or a property in fee.

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A discussion regarding the use of warrant articles to increase the size of the conservation fund suggested requesting a **one-time contribution to the fund or increasing the percentage of Land Use Change Tax (LUCT)** from 50% to 100%. Currently, 50% of the LUCT, collected quarterly, is paid into the conservation fund, and is its primary revenue source, limiting DCC's ability to take on projects. Smaller amounts could also be requested for specific purposes, such as project legal costs; however, transaction timing issues could arise given the lengthy process required for placement and passage of warrant articles. It is likely that the Freese Town Forest acquisition was the last project to have direct funding through a warrant article. **Josh Freed will research options for wording such articles.**

Projects 38 and 40:

No updates were currently available from Bear-Paw on these projects. DCC will need more information in order to perform its due diligence. Serita Frey will extend an invitation to Katrina Amaral from Bear-Paw to attend the October meeting.

Bear-Paw informed DCC of the potential acquisition of a 107-acre parcel off Mountain Rd. to be gifted to Bear-Paw by the landowner. Bear-Paw's intent would be to maintain the property as a public-access area; however, it would remain undeveloped (no trails or public recreation, and maintained for wildlife habitat).

The members were reminded of the need to address the easement on the **50-acre conservation property on North Road, Map 208 Lot 5**, to which the Town has an Executory Interest. Fee ownership of the parcel has reverted to Bear-Paw since the original conservation easement was conveyed to them, and a new easement should be conveyed. This issue is on the back burner for the time being.

Trails:

DCC received an email from David Brush, Program Manager for the **Student Conservation Association's New Hampshire Conservation Corps**. *SCA NH Corps – Trail and Land Management Services* is scheduling projects for its 2022 and 2023 project seasons. The organization performs land management, trail work, historical preservation and environmental education programs in NH. The 2022 fee for an 11-day service period is \$11,000. It was felt that the services provided are more appropriate for large-scale projects for which there is a clear vision of what needs to be accomplished (trail restoration on a large property). Currently, the Town's projects, such as the Lindsay-Flanders bridge over Nichols Brook and the trail extension from Peg King to the gazebo, can be managed through volunteer efforts and at a lower cost.

Stewardship:

Lindsay-Flanders Conservation Area: Josh Freed reported that in a recent visit to Lindsay-Flanders, **there was no sign of new ATV activity**, and that the restriction signs were still up. He did convey that the area where the trail "crosses" the brook is very delicate and could use a raised walkway. Also noted was the confusing, blue trail blazing, which is the same color as the boundary markers. Consideration should be given to re-blaze in a different color. The trail markings at Dowst-Cate could also use some attention, in that the trail disappears where it meets the logged area. Kiosks at each of the two parcels would be beneficial in providing trail information and promoting conservation land "as a thing".

Serita Frey will contact Katrina Amaral regarding the previously-proposed Bear-Paw template for the kiosks. **Erroll Rhodes will coordinate a site-visit to Lindsay-Flanders with Alan Perkins** and DCC members Josh Freed and Chloe Gross for Sunday morning, September 19th. Mr. Rhodes will address possible re-blazing with Mr. Perkins at that time.

Approval of Minutes:

Motion: *Serita Frey moved to approve the minutes of the August meeting. The motion was seconded by Josh Freed and approved unanimously by the members.*

Finance:

Haley Andreozzi reported that the **respective balances for July and August were \$276,802.36 reflecting interest of \$35.26, and \$276,837.62 including interest of \$35.26**. The two manuals from NHACC were received and the previously-approved payment of \$40 was arranged. It was explained that while the Conservation Commission has control of these funds, they are managed by the Town Treasurer.

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The LCHIP \$50,000 grant funds for reimbursement of Marston Family Town Forest expenditures paid from the Conservation Fund are **anticipated to be received on 10/6/2021** per a recent email from Bear-Paw. Ms. Andreozzi is scheduled to present the DCC budget to the BOS on 9/20.

Public Outreach:

ZOOM Meetings: Technological upgrades, including solutions for a GBW hookup, internet connectivity, and possibly technical operational assistance, would be needed to effectively utilize ZOOM for visitor meeting access. DCC will make a recommendation to the BOS when it gives its quarterly update and ask the Town to explore if *Cares Act* funds could be used for this purpose.

Old Home Days:

Chloe Gross put together DCC's display for Old Home Days on August 21st. DCC's Mission Statement, maps with photos of conservation land, and member photos and bios were part of the exhibit. DCC members joined representatives from the Planning Board and the Heritage Commission, which sent a message of solidarity, interconnectedness and mutual cooperation among the various boards and commissions. Sylvia von Aulock documented comments from visitors into eight categories relating to the Master Plan. When Chloe Gross asked what one visitor would like to see DCC working on, the reply was "conserve more wetlands!"

Board and Committee Questionnaire:

A questionnaire sent to Town boards and committees by the Town Clerk is due in November. Serita Frey will review the draft that has been completed. The information will be included in an informational brochure.

Regulated Wetlands & Shorelands – Permits/Applications/Potential Violations:

DES Notification – Reported Alleged Violation: DES Land Resources Management - File # 2021-02443

212 Mt View Rd – Map 208 Lot 127

Failure to properly contain fill causing sediment transport in a waterway w/o a permit (Pursuant to RSA 482-A)
Landowner to provide written comments within 20 days (Notice dated 8/21)

DCC Review #2020-02 – DES File# 2020-00266

145 South Rd – Map 420-57, 57.1 & 57.2

DES Notification: Initial Monitoring Report received – Site in satisfactory condition – Next report due 9/1/22

Geddes Property - 409-60 and 61, 415-49, 50 and 51 (Adams Hill and Nottingham Rds.)

It was reported that the Geddes parcel has an 8.5-acre exclusion area.

Announcements/Correspondence/Reminders:

NHACC

Annual Survey 2021 – Serita Frey will complete the survey.

Bear Paw:

DCC received an invitation to join the panel at the **2nd Annual Conservation Commission Roundtable**. Haley Andreozzi volunteered to represent Deerfield at the event which is still in the planning stages.

Serita Frey, with the unanimous approval of the members, **moved to adjourn the meeting at 8:20 pm.**

The next regular meeting is scheduled for Monday, October 18, 2021

(Please check the website townofdeerfieldnh.com for scheduling changes)

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