

DEERFIELD CONSERVATION COMMISSION
1967 – FIFTY-FIVE YEARS AND COUNTING – 2022
Meeting Minutes – **May 9, 2022**

Attendance: Haley Andreozzi, Josh Freed, Serita Frey, Wes Golomb, Chloe Gross, Erroll Rhodes, Jo Anne Bradbury (Alternate)
Members Absent: None
Visitors & Guests: Barbara Mathews, Rob Mathews, Conor Madison (GZA), Ashley Ruprecht (Eversource), Kaitlin Deyo (Bear-Paw)

Serita Frey **opened the meeting at 7:12 pm.**

Organizational Business: Nomination of Officers for 2022 – 2023

Motion: Wes Golomb moved to nominate Serita Frey as Chair and Haley Andreozzi as Finance Officer for the term beginning May 1, 2022 and ending April 30, 2023. The motion was seconded by Jo Anne Bradbury. The vote in favor of the motion was unanimous.

PUBLIC HEARING:

Geraldine Mathews Conservation Easement – 17.82 acres - Candia and Cole Roads - Map 414 Lot 007

Serita Frey **opened the public hearing at 7:16 PM** stating that per a discussion with Town Counsel, “We don’t believe it is legally required, but out of an abundance of caution we are holding a public hearing regarding this expenditure from the Conservation Fund.”

The following notice appeared on the Deerfield Town website in accordance with the provisions in RSA 675:7 (as amended), on April 28, 2022. Additionally, it was posted in the following locations: the U.S. Post Office, Deerfield, NH, at two locations at the George B. White Building, and The Forum on line.

The Deerfield Conservation Commission will hold a public hearing in accordance with RSA 36-A:4, for the purpose of accepting public input about contributing to the transaction costs associated with a conservation easement on 17.82 acres of land situated on Candia and Cole Roads, Map 414 Lot 007, in the Town of Deerfield, in conjunction with the Geraldine Mathews Conservation Easement project, through the Deerfield Conservation Fund. The Town will acquire an executory interest in the easement. The public hearing will be held on May 9, 2022 at 7:00 PM at the George B. White Building, 8 Raymond Road, Deerfield, NH.

Rob Mathews commented in favor of the easement and that his mother, **Geraldine Mathews, the donor of the easement, was both excited and eager to conserve the parcel.** The Mathews family was extremely grateful for Bear-Paw’s and the Town’s contributions to its preservation. Wes Golomb thanked Geraldine, Rob and Barbara on behalf of the Town and DCC for their donation of this conservation easement.

Serita Frey **adjourned the public hearing at 7:19 pm** and reconvened the regular meeting.

Motion: Chair Frey moved to expend conservation funds in the amount of \$18,015 to contribute to the transaction costs of a conservation easement on 17.82 acres of land situated on Candia and Cole Roads, Map 414 Lot 007, in the Town of Deerfield, in conjunction with the Geraldine Mathews conservation project, through the Deerfield Conservation Fund. The motion was seconded by Wes Golomb and passed unanimously.

Currently, in order for DCC to expend conservation funds toward the project costs, the Town must retain an interest in the property. The pending **easement deed will grant the Town of Deerfield an executory interest in the easement,** necessitating the BOS to sign the easement deed, thus fulfilling the requirement allowing for the expenditure. Kaitlin Deyo of Bear-Paw will forward the easement deed to DCC for review prior to a to-be-determined BOS signing date.

Erroll Rhodes expressed his opinion that the **Bear-Paw deed template used for the Adami-Cote easement lacked clarity.** It was explained that DCC previously used its own template based on the one used by the *Society for the Protection of NH Forests* (SPNHF) for the permanent protection of seven of Deerfield’s town forests/conservation areas, and for the Boisvert Town Forest. Copies of these recorded deeds will be forwarded to Mr. Rhodes for comparison.

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Eversource CUP:

Conor Madison of GZA GeoEnvironmental, Inc. and Ashley Ruprecht of Eversource presented the plans associated with the Eversource Conditional Use Permit Application (CUP), File No. 04.0190999.86 for the replacement of select structures (i.e., utility poles) on the 373, 385 and 391 transmission Lines. The current application addresses the **replacement of six existing wooden structures with six, ten-foot taller, metal structures** in essentially the same footprint, with the objective of ensuring *greater stability and reliability of the system*. A *Statutory Permit by Notification* will be submitted to NH DES for temporary wetland impacts. Eversource will also be applying for *Alteration of Terrain* permits as required for impacts to areas greater than 100,000 square feet. DCC and the Town will be copied on applications and DES approval notices.

If approved, the proposed **activity will take place along Eversource-owned utility corridors and private rights-of-way (ROW) in the vicinities of Brown, Mountain, Nottingham and Coffeetown Roads, with a target start date of July 2022** (controlled by ISO New England outage schedules). Drilling is anticipated to occur between August and October with restoration in November. **Members expressed concerns that July is nesting season for turtles and snakes, a number of which (Blanding's turtles and black racers) are among several threatened and endangered species found in Deerfield.** Footnote #8 on page 24 of the plan contains the required procedure (including work stoppage) and contact information, if rare, threatened or endangered species (RTE's) are encountered. Additional contact information for representatives from GZA and Eversource was distributed to the members and will also be listed on the permits

Eversource will be implementing **contractor training, sweeps of the work areas for evidence of nesting and movement on site, and weekly independent monitoring of the areas.** Eversource will provide DCC with a copy of the **BMP's** being followed for the project; especially those specifically related to RTE's.

Mr. Madison explained that in order to lessen compaction, **clean, timber matting, free of invasives, is used in the wetland areas** to spread out the impact of the rubber-wheeled vehicles being used, allowing for the vegetation to regrow when the mats (which are only good for one growing season) are removed. **Grading and top dressing with gravel is used in the upland sections** and areas unsuited to matting. **Objections to the use of gravel and stone within the 100-foot buffer and for upland access areas** were once again expressed. Old, wooden poles located within the wetland will be cut off at ground level rather than being completely pulled out. Treated poles will be removed from the site. Restored areas will be monitored and observed after 60 days to ensure stabilization has occurred.

Concerns were raised about an **absence of vernal pools delineated on the project maps.** DCC requests confirmation of their absence or existence, and that updates include all known vernal pools. Mr. Madison referred to only one (potential vernal pool), depicted as a priority area at DW 39. **Photos of the access routes revealed disturbingly heavy rutting from large trucks, and ATV's** (which are not an allowed use in the ROW). DCC, in its advisory capacity, will **submit its concerns and recommendations in a letter to be sent to the Planning Board** for consideration during its May 11th review of the Eversource application.

Summary Recommendations: Utilize independent monitors, clearly define BMP's (especially relative to RTE's), avoid permanent impacts to upland areas (use of gravel), identify vernal pools on maps and how they will be protected, optimize project timing to avoid nesting turtles and snakes.

Stewardship/Easement Monitoring:

Eames: A question arose at the 4/27 Planning Board meeting about the existence of conservation land in the vicinity of the Jeff Eames property, Map 404 Lot 3 off Dow Rd. Mr. Eames is interested in reclaiming the 24.83-acre parcel and has approached the Planning Board to obtain a permit to remove sand and gravel and create a shallow pond environment. Erroll Rhodes attended a site visit on May 7th and reports that it does not appear there will be any need to cross the Boisvert Town Forest which abuts the Eames lot. The feeling was that Mr. Eames has a good reputation and is being respectful of the process. There does not appear to be any need for DCC involvement at this time.

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Marston Family Town Forest: After receiving the 2021 monitoring report for the Marston Family Town Forest, Charlotte Harding, Stewardship Specialist with the State's *Conservation Land Stewardship Program*, inquired about the forest management plan for the property. The current management plan was created for the former owner, Gile Beye, by Charlie Moreno in 2003. The Town-owned 128-acre parcel under a Bear-Paw/LCHIP easement is addressed in the plan. Ms. Harding, in her 4/15/2022 email suggested that *it would be a good idea to update the plan and make sure it aligns with the Town's current and future goals.*

Curry Easement – Great Brook Corridor: Erroll Rhodes reported that he has left two voice messages for Paula Duchano to notify her of DCC's intent to monitor the parcel but has had no reply. It was decided that monitoring would take place at a future date to be determined by the volunteers. Terms of the easement deed include the easement holder's right to monitor the parcel.

Freese Town Forest: The abutter letter and new signs to be posted clarifying those areas where hunting is allowed are still pending.

Deerfield Master Plan:

The Planning Board is polling Boards and Committees for dates representatives may be available for the next meeting.

Approval of Minutes:

Motion: *Serita Frey moved to approve the **minutes of the April meeting**. The motion was seconded by Josh Freed and approved as written with Haley Andreozzi and Jo Anne Bradbury abstaining.*

Finance:

The balance in the Conservation Fund at the end of April was \$347,465.03 which included interest of \$34.27.

It was noted that **in March 2006 the Town voted to cap the balance in the Conservation Fund at \$500,000.** It was suggested that DCC **work toward having the cap increased**, possibly through a warrant article. This goal could also be approached in the Master Plan as a way to keep open land. The current amount is not sufficient to fund a larger project. In the interim DCC should monitor the balance closely to ensure the cap is not exceeded.

Regulated Wetlands:

DCS Paving Plan: Serita Frey was contacted by a representative of the DCS board regarding the paving of the parking lot at the school. DCS will be approaching the Planning Board. Chair Frey reiterated DCC's willingness to work with DCS and that the goal is to minimize impacts to Freese Pond.

Cross Subdivision: It was brought to DCC's attention that land clearing next to a wetland was occurring in anticipation of creating a fire pond. The Planning Board is in the process of reviewing the parcel for a 5-lot subdivision. Members questioned whether the presumed future excavation for a pond would violate the 100-foot buffer regulation in the most recent wetland zoning ordinance. Chair Frey will convey DCC's concerns in a letter to the Planning Board.

NH Division of Forests and Lands – Notice of Timber Harvest
~141 Acres – Lamontagne WMA Map 407-026 (NOTE: Abuts Curry Easements to the South)

NHDES File# 2022-01121 – Forestry Statutory Permit-by-Notification (RSA 482-A)
Mackenzie/Wilson – Brown Rd. – Map 424 Lots 23 & 23-2

A motion to adjourn by Chair Frey at ~9:00 pm was seconded by Erroll Rhodes and passed unanimously.

The next regular meeting is scheduled for Monday, June 13, 2022

(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