

DEERFIELD CONSERVATION COMMISSION
1967 – FIFTY-SIX YEARS AND COUNTING – 2023
Regular Meeting Minutes – July 10, 2023

Attendees: Haley Andreozzi, Josh Freed, Erroll Rhodes
Members Absent: Serita Frey, Chloe Gross
Visitors & Guests: Kaitlin Deyo (Bear-Paw), Zack Langlois & Kendra Cohen (DCS), Ken Cohen

Vice-Chair Haley Andreozzi convened the meeting at 7:01 pm

Kaitlin Deyo of Bear-Paw reported that the Cassiers have signed the draft easement deed. The draft deed will be presented to the Bear-Paw Board tomorrow, July 11th. It is expected that the deed will be electronically recorded on July 18th following the Deerfield BOS signing on the 17th. Bear-Paw will also update the NH GRANIT maps to reflect the acquisition. Ms. Deyo reported that the project came in at approximately \$1000 under budget. The proposed sign for the easement has been updated to reflect Bear-Paw as the easement holder, as opposed to the Town of Deerfield.

DCS Paving Project – Update:

DCC member Erroll Rhodes shared his concerns regarding DCC's limited involvement in the DCS parking lot paving plan, despite the warrant article stipulation that DCC be consulted in the development of the paving plan. DCS School Board Chair, Kendra Cohen, and School Board Member Zach Langlois were in attendance to observe, and offered responses to DCC's concerns.

Mr. Langlois commented that DCS has been wanting to undertake this project for years and felt that the warrant language had been a stumbling block for DCS, making it difficult for them to move forward. Mr. Langlois stated that the DCS Board chose to follow the advice of counsel in how to proceed with the plan development and noted that a copy of the plans had been forwarded to DCC and an invitation extended to DCC to attend the meeting at which the plan was presented for DCS Board approval.

Mr. Langlois confirmed that the DCS Board did not instruct the project engineer, Steve Keach, to include the DCC or the Planning Board in the development of the plan, as stipulated in the warrant article. DCC was never invited to meet with the engineer during the plan development stage. DCC felt that consultation with the engineer, along with a presentation of the paving plan to DCC prior to its presentation for DCS Board approval, (as is the customary procedure with Eversource CUP proposals), would have been both appropriate and beneficial.

Josh Freed commented that the process that was followed resulted in the plan not being the best, most cost effective or environmentally sound plan, and that since the terms of the warrant article were not followed, that DCS appeared to have operated beyond its authority. Mr. Rhodes stated that the failure to adequately consult the DCC in the development of the plan would appear to be a municipal governance issue (not a DCC issue) and that the Trustees of the Trust Fund will likely have to deal with this matter when approached by the DCS Board for reimbursement of paving expenditures.

Mr. Langlois argued that in following the advice of their attorney, the intent of the warrant was realized, and that the inclusion of **any** runoff mitigation measures – even without DCC involvement – was an improvement on the present situation, and thus satisfied the intent of the warrant article.

Haley Andreozzi thanked Ms. Cohen and Mr. Langlois for attending, and for their input.

Stewardship/Easement Monitoring:

Cottonwood Estates: Josh Freed will purchase a replacement for the missing lock on the gate that restricts access to the conserved, open-space area on Cottonwood Estates. Mr. Freed will obtain six keys, with the Police and Fire Departments each receiving a key.

Great Brook Corridor: As a follow-up to last month's report by Holly Tomilson of an unauthorized bench constructed of synthetic material on the Great Brook easement, Erroll Rhodes will enquire about its location. The circumstances leading to its placement are unclear.

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Approval of Minutes:

SEE NOTE

Motion:

*Josh Freed moved to approve the minutes of the **June** regular meeting.*

Erroll Rhodes seconded the motion

Vote:

The motion was approved

NOTE: *It was subsequently discovered that Mr. Freed had not taken the oath of office after his appointment, and therefore was not a voting member at the time of the motion. It followed that since Mr. Freed was also being considered as part of the quorum, there were not sufficient members present to form a quorum for the meeting. The motion was tabled until the August meeting.*

Finance Report

STATEMENT balances in the conservation fund

June Ending Balance **\$372,199.74** **(Includes \$656.31 – May Interest Posted in June)**

Q4 2022 LUCT **\$0** **(Confirmed)**

Q1 2023 LUCT **\$19,500**

Q2 2023 LUCT **\$26,000** **(YTD = \$45,500)**

**** Passage of Article #21 – DCC to receive 100% of LUCT beginning April 1, 2023 for Q2 2023**

Members were reminded that DCC's accumulated conservation fund balance is statutorily capped at \$500,000. Suggestions for appropriate use of these funds, aside from facilitating CE acquisitions, would include an inventory of natural resources, which is a mandate for conservation commissions. Ms. Andreozzi strongly suggested that it be a professional undertaking. Additionally, the funds could be used for public education, installation of kiosks on the easements, and professional creation of forestry plans for the town forests. Town Forester Charlie Moreno has completed forestry plans on Freese, McNeil, Wells, Arthur Chase and Dowst-Cate/Weiss.

Membership:

There are **openings for two regular members to fill two 3-year positions** (previously held by Brian Adams and Wes Golomb), and **1 open position for an Alternate Member** (previously held by JoAnne Bradbury).

Members introduced themselves to DCC candidate Ken Cohen, and shared their respective backgrounds. Mr. Cohen, who expressed a strong interest in becoming a member at the June meeting, shared that he, his wife Kendra, and daughter Eliza have been residents since 2021. Having an appreciation of Deerfield's natural beauty, they have welcomed the opportunity to observe nature, hike the trails, run and cycle. Mr. Cohen believes that is important to conserve what we have, noting that the DCC performs a great service to the Town.

Mr. Cohen was encouraged to review the NH Association of Conservation Commissions (NHACC) website and read the RSA's that pertain to the various boards and committees. The clerk can provide Mr. Cohen a link to the NHACC, as well as some suggested reading materials to help familiarize him with the inner workings of conservation commissions. Ms. Andreozzi summarized the various types of methods used to conserve land, which are also included as part of DCC's annual report to the town. Mr. Cohen's membership will again be on the agenda for August.

Public Outreach:

It was suggested that DCC recommendation letters be posted with the minutes; however, timing issues could make for a logistical challenge. In the future, members can decide how to disseminate DCC correspondence on a case-by-case basis. DCC's recommendations are advisory only.

Haley Andreozzi will be connecting with John Harrington to get up-to-speed on the operation of the Meeting Broadcast equipment. Mr. Cohen volunteered to join Ms. Andreozzi in the training.

By-Laws:

It was previously determined that DCC does not have a set of by-laws. Josh Freed and Erroll Rhodes will look into potential formats. An ongoing list of suggested topics that could be addressed in the document is contained in the monthly meeting plan.

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Regulated Wetlands & Shorelands

DCC received a notification from the NH Department of Transportation regarding a culvert maintenance project at NH Route 43, approximately 250 feet south of Cole Road, tentatively scheduled for winter 2023. NH DOT is asking for, among other things, a list of ...*priority wetland and stream mitigation efforts*, should the project adversely impact any of Deerfield's *prime wetlands, floodplains, or rare species*, and if there are any known *wildlife corridors or habitat strongholds in the vicinity of the project*. Additionally, the DOT reached out to the Historical Society relative to significant cultural resources in the vicinity of the project, (e.g., stonewalls, cemeteries, historical or archeological resources, etc.). A copy of the correspondence will be sent to members for review.

The meeting adjourned at approximately 8:30pm.

The next regular meeting is scheduled for 7 PM on Monday, August 14, 2023

(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