

CONSERVATION COMMISSION MINUTES

January 4, 2023

APPROVED: 2/1/2023

AGENDA: POSSIBLE PROPERTY PURCHASE DISCUSSION – Hall Road
BENNETT WETLANDS – RESEARCH
CONSERVATION COMMISSION CHECKLIST
BRISTOL PUBLIC SAFETY BUILDING – WETLANDS PERMIT
CONSERVATION COMMISSION WORKSHOPS DISCUSSION

ATTENDING: Carroll Brown (Chair), Richard Batchelder (Vice Chair), Elizabeth Miller, Janet Cote, Richard Metcalf, Chip Carleton (Alternate) and Bill Haskell (Alternate)

OTHER: Christina Goodwin (Town Administrator), Joanne Bailey (Land Use Manager), Donna Sullivan (Land Use Administrative Assistant), Hilda Bruno and Mary Gebhart

Chair Brown called the meeting to order at 7:02PM with the roll call and a quorum present in-person.

PROPERTY PURCHASE OPPORTUNITY – HALL ROAD – Hilda Bruno

Mrs. Bruno stated that she was part of the Robie family which has been residing in Town for many years. She has acreage on Hall Road that consists of fields and forest and the field area of the parcel abuts the Danforth Brook. She wanted to know if the Conservation Commission might have an interest in purchasing the fielded section of this acreage to help protect the wetland area and Town well aquifer. The property was viewed on the meeting room monitor. This property was part of a larger acreage parcel that was previously subdivided with her sister. In review of the properties, it was noted that the sister's parcel abuts the Bennett Wetland. The parcel Mrs. Bruno was suggesting for purchase would be the open field area of her parcel. This area was now mowed by the snowmobile club to keep it open and was active with wildlife, with deer and geese often seen in the field. Mrs. Mary Gebhart, a longtime friend of Mrs. Bruno, shared that the land is designated as New Hampshire Historical Farmland. There is also a cellar hole from the original homestead on the land.

More discussion followed with questions about a conservation easement vs. purchase. Fundraising would be needed or a warrant article for town funding to purchase. Ms. Cote suggested looking into a conservation easement purchase which could leave the property in family ownership with farming and forestry rights with conservation and recreational use conditions. Mr. Metcalf suggested that the Commission consider identifying properties in town that might be considered for protection of natural resources, well protection and other conservation purposes. More discussion followed about looking into "greenway" protection contiguous to already owned Conservation properties or Conservation / Town properties that might need better protection.

Mrs. Cote suggested more research into options for an easement purchase and land purchase with partnering organizations such as the Lakes Region Conservation Trust. She stated that the land was already used for recreation with the snowmobile trail going through property and the agricultural use could also be protected. This parcel is also partly in the well protection area for the old Town well. Mrs. Bruno indicated she would need to talk with her family about the type of purchase options, but she was open to looking at the various options. It was determined that more discussion and research would be

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PROPERTY PURCHASE OPPORTUNITY – HALL ROAD – Hilda Bruno - *continued*

needed to determine how to proceed but there was a definite interest in pursuing protection of this property. Mr. Metcalf suggested a sub-committee to the Conservation Commission to identify properties of interest for the protection of natural resources in the Town. Mr. Brown agreed this was a path that could be considered and stated that conferring with the Select Board about this might be warranted.

OLD BUSINESS:

BENNETT WETLANDS RESEARCH

Mr. Brown stated that after the site visit it became important to the Conservation Commission to get more information about the parking and access points for the Bennett Wetlands. The Land Use Office was working to locate deeds, identify access points, and parking information. Ms. Bailey reported that progress has been made with researching old records, locating deeds and plans for the property. There was one plan found that identified a parking area for the Preserve. Ms. Goodwin stated that there was still some work to do as the parking area access is along the boundary by Swiss View Road on an abutting property per review of the Former Hartland Park Subdivision map titled PARTRIDGE RUN, but the deed references may conflict with access indications from Ravine Road. More work will continue to find out if easement or right of way for parking is indicated on an abutter property deed(s). Ms. Bailey and the Land Use Office will research this further.

CONSERVATION COMMISSION CHECKLIST

A checklist table with wetlands impact questions for the Site Plan review process was discussed. Mr. Metcalf and Ms. Goodwin have been working together to finalize this document for use by applicants and Conservation Commission to aid with any impact determinations and conditions that may be needed when wetlands are an issue for Site Plan Review. Ms. Goodwin presented the table of questions as discussed in previous meetings. The Commission asked that Wetlands Ordinance references be placed within the table for the impact questions as a cross reference to the Town's ordinance. Numbering will also be added to the table checklist. There was discussion regarding the last question on the table and reworking it to reference the Commission's "need" to know as an alert to further permitting requirements with the New Hampshire Department of Environmental Services (NHDES). Ms. Goodwin will add the Introduction and Instructions to the table checklist. The revised checklist and supporting documents will be reviewed for final approval at the February meeting.

NEW BUSINESS:

NHDES EXPEDITED MINIMUM IMPACT WETLANDS PERMIT APPLICATION – TOWN OF BRISTOL – FILE #2022-03441

Mr. Brown shared a communication received from the New Hampshire Department of Environmental Services (NHDES) regarding the Town of Bristol Safety Building application for an Expedited Minimum Impact Wetlands Permit. The letter indicated that the application was complete except for a signed statement waiving right to intervene from the Bristol Conservation Commission. Without this waiver, the application does not meet the requirements for a 30-day expedited review. NHDES will now review the application with processing times pursuant to RSA 482-A:3, XIV.

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NHDES EXPEDITED MINIMUM IMPACT WETLANDS PERMIT APPLICATION – TOWN OF BRISTOL – FILE #2022-03441 - continued

The Commission reviewed the plans for the Safety Building and the wetland impacts to a small wetland indicated on the plans. It was determined that NHDES Wetlands Permit review would address impacts and conditions needed, but further consideration would be necessary with Site Plan review to address impacts of location of building and parking areas within setbacks of the Town's Wetlands Ordinance. Ms. Cote asked if the property was within the 250 foot setbacks from the Newfound River for Shoreland Protection Act. It was determined that it was outside those setbacks. It is expected that this project will come before the Commission for comment at a future meeting in 2023.

CONSERVATION COMMISSION WORKSHOPS DISCUSSION

Mr. Brown asked the Commission members for preferences for workshops to be held in 2023. He referenced past discussion regarding community engagement, Conservation Commission roles, and training ideas. Ms. Goodwin cited previous minutes indicating the Commission wanted to have a facilitated brainstorming session in 2023. Ms. Cote stated she would like to see a focus on training for Commissioners and maybe other Committees and Land Use staff. She stated that it could be helpful to new members and staff to have some training for NHDES permits information and process as well as other aspects of identifying and protecting natural resources. Ms. Miller shared that she had been attending the New Hampshire Association of Conservation Commissions (NHACC) online Lunch and Learn workshops and found them to be very informative. Mr. Batchelder stated he was signed up to a few of these as well. Others were encouraged to check these out. There was discussion of possibly setting up a NHDES education workshop or researching if NHACC offers any training sessions for Wetlands or Shoreland Permit process. The Commission determined that each could pursue personal training goals with what is offered by NHACC and should be encouraged to do so. Other opportunities for workshop offerings and collaborative trainings for Land Use and Planning Board will be researched and pursued for meeting nights or separate times from meeting schedule. Ms. Goodwin mentioned that Survey Monkey was an option to help determine direction for the Commission to pursue. As an update, she added that the Planning Board has sent its master plan survey out to get independent analysis and the information will be available soon. There were some conservation related questions as part of this survey.

COMMISSION MEMBER ITEMS:

PEMIGEWASSET SHORES DRIVE – NHDES - WETLANDS VIOLATION UPDATE

Mr. Metcalf asked for an update regarding Select Board discussions for the NHDES violation notice for a property on Pemigewasset Shores Drive discussed at the last meeting. Mr. Metcalf expressed his concern for property owners being victimized by contractors that do not follow rules, thereby costing a property owner substantial financial remedy costs. Mr. Brown commented that it was taken up by Select Board with several options including contractor certification being part of discussion. No final outcomes for this were determined to date.

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BRECK-PLANKEY SPRING – SAND DRUM PLACEMENT

Mr. Brown reported that a sand drum was placed at the Breck-Plankey Spring and is being used by patrons. He asked Commission members to keep a watch on it as it would need to be re-filled from time to time. The Highway Department is aware of the Drum and that members may stop by occasionally to refill buckets. There is a limit of two (2) 5-gallon buckets at the Highway Department that can be filled at a time.

MINUTES:

The minutes of December 7, 2022 and Site visit minutes from November 7, 2022 and November 20, 2022 were reviewed. Mr. Metcalf moved to approve the minutes of December 7, 2022, as written. Mr. Batchelder seconded the motion. Discussion followed regarding the inclusion of the Site Visit minutes. Mr. Metcalf amended his motion to approve all three sets of minutes as written. Mr. Batchelder seconded. Chair Brown clarified voting on the amendment. The motion to accept the amendment carried 5-0-0. Following vote on the amendment to the motion, a vote was taken on the final motion. The motion carried to approve the minutes of December 7, November 6, and November 20, 2022 as written. 5-0-0

COMMUNICATIONS: None

LAND USE STAFF COMMENTS:

Ms. Goodwin updated the Commission about research and activity on the Town's Current Use Audit project. An outside firm is reviewing all current use records and activity to update files and records to be up to date with current use requirements and documentation. Because the Town has voted to allow a 50% portion of any current use change tax penalty collected by the Town if a property owner takes land out of current use to be placed in the Conservation Fund for future land purchase or other property protection purposes, this will be helpful to be up to date with the files.

Ms. Bailey shared a copy of a draft Conservation Commission report for the upcoming Town Report. She stated that this is being done by the office for all Land Use Boards, Committees and Commissions. She stated that this will be emailed out to the Commission for any additions or edits stating a quick response would be needed to meet the deadline. Mr. Brown added that he would like to include the change of membership size of the Commission.

Ms. Goodwin shared that communication was made with NHDES regarding the issue talked about last meeting for Hall Road property. This was being followed up on.

Ms. Goodwin updated the Commission on changes to the Town website with the set up of the Water Quality Study Committee page and addition of links to documents being provided by Committee members of research data and other water quality reports. The Commission members on this Committee were encouraged to review these documents before next Water Quality Study Committee meeting.

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NEXT MEETING: February 1, 2023, at 6 pm

Water Quality Study Committee Meeting February 1, 2023, at 5 pm

There was discussion of Mr. Metcalf being absent from February meetings. Mr. Brown asked if Commission would like to put off any wetlands process training to March meeting and suggested that the Water Quality group determine time needed for their meetings moving forward to help determine time start for Conservation Commission meetings.

ADJOURNMENT:

With no other business, Mr. Batchelder moved to adjourn. Ms. Miller seconded. The motion carried 5-0-0. The meeting adjourned at 9:18 pm.

Respectfully submitted,

Janet Cote
Land Use Associate