

HILLSBOROUGH CONSERVATION COMMISSION

September 6, 2018

Hillsborough Town Office

Approved Minutes

Present:

Commissioners: Richard Head, Chair; Linda White, Vice Chair; Russ Galpin, Roger Shamel.

John P. Segedy, Recording Secretary & Alternate; Laura Buono, Town Administrator; Jon Daley, Selectperson.

Becky Brown, Berkshire Hathaway; Zach Brown; Terry Yeaton

Chair Head called the Hillsborough Conservation Commission (HCC) meeting to order at 7:00 pm. John Segedy was appointed to vote in place of a vacancy.

VISITOR BUSINESS

1. **Becky Brown, Berkshire Hathaway** - 6 Emerald Drive (M 16, L 52). - Spoke to the HCC regarding an existing seasonal dock on the property for which she is the Realtor on. The property owner has been told by DES (Department of Environmental Services) that they need to apply for a Wetland Permit. She inquired about the HCC needing to approve the application.

Richard Head explained that the form was a DES form, not the HCC's and that the review that the HCC would do would be for expedited review. The Commission would only be concerned to see whether there were any items that needed to be brought to the attention of DES. Richard Head clarified that it would be DES that is responsible for approval of the permit. He also suggested that DES could provide assistance explaining about the form.

MINUTES

1. **August 16, 2018**

Richard Head found an extra period.

Linda White moved: *To approve the minutes of August 16, 2018 as amended.*

Richard Head seconded. Motion passed 4-0-1 (Roger Shamel abstained).

CORRESPONDENCE

1. **NHDES** - 6 Emerald Drive, (M 16, L 52). correspondence regarding need to file permit application.
2. **NHDES** – 177 Henniker St. (M 12, L 112). Correspondence regarding Letter of Deficiency.
3. **NHDES** – River Street (M 24, L 148) Application Denial
4. **Lawrence & Kristi Lundt** – 59 Hummingbird Lane. Request to be placed on Agenda regarding Wetlands Permit. John Segedy will respond.
5. **Franklin Pierce Lake Association** – John Segedy reported he had confirmed dues payment to NH Lakes Association.

OLD BUSINESS**1. Easement and Property Monitoring / Scheduling -**

- a. John Segedy reported he had viewed the two property lines of the House Rock Property. One bag of trash was removed. Laura Buono will speak to the Code Enforcement Officer regarding a trailer and truck cap on the property.
- b. The HCC discussed its annual monitoring walks. It was noted that the Philbrick property is usually inspected in winter when the ground is frozen, Terry Yeaton volunteered to assist with the monitoring. The Commission decided to walk the PSNH and Partners Farm Easement on October 13th at 9:00 and the Olivia Smith Easement on October 20th at 9:00.

2. ATV Trails – Richard Head reported to the Commission that the Selectboard had met with the ATV club and will be holding a Public Hearing on October 27 at 2:00 pm, to hear input on the matter. An updated plan had been presented to the Selectboard but this is going to be updated further. The ATV club is going to provide a 'final' plan by the end of September that will be posted on the Town's Web site. Richard Head explained that the HCC should determine what input, if any, it wanted to provide. He said that if the Commission were to provide information it should stick to topics in its statutory areas of responsibility, and should base any concerns or suggestions on factual, researched points. He asked members for suggested areas to research.

John Segedy suggested the Natural Resources Inventory (NRI) would be a place to start especially since the ATV club had cited it during its presentation.

Richard Head suggested that Jeff Littleton who had written the NRI on behalf of the HCC might be a good resource for information. He said that the HCC shouldn't just point to a map in the NRI but provide information specifically addressing any effects on the environment the proposal might have. He stressed being careful about not interjecting opinion when presenting the HCC's input although individual members were free to speak on their own behalf.

Russ Galpin said he was concerned about impacts to sensitive areas such as wildlife corridors and wetlands. It was noted that the latest proposal adjoined parts of Sand Brook (which feeds into Farrar Marsh).

Terry Yeaton said he had talked to NH Fish & Game about concerns about jurisdiction and compliance.

Laura Buono said she had also talked to Dave Walsh, local Conservation Officer about coming to the Public Hearing.

Richard Head said he would reach out to Jeff Littleton. He also clarified that while he would be recusing himself from voting on any HCC action on the topic he would participate in discussion and speaking for the Commission.

Roger Shamel said he thought the trail went across wetlands. He noted he owns property on Dean Hill Road. Roger spoke of having been walking (elsewhere) when an ATV went by through a muddy area making ruts. Richard Head asked what research would be proposed regarding that problem – including specifics.

John Segedy noted that Dean Hill Road was a Town Scenic Road and a Class Six road that wasn't maintained by the Town. He said he wasn't sure how the law on those two road types interacted. Richard Head suggested he research that in particular regarding ATV uses.

John Segedy questioned which map/plan should be considered. Richard Head said he would only want to consider what was submitted. John Segedy said he thought it was fair to consider prior plans, statements made about intentions to expand in the future

(into Hillsborough Center, Low Forest, Bradford and Washington). He pointed out that the most recent plan included a side spur to Low Forest as well as a notation on Carter Hill Road stating “To Bradford” He noted that there were basically only two routes out of the area of the latest proposal. Richard Head pointed out that expansion was not what they (ATV Club) were asking for.

John Segedy noted that the latest proposal adjoined the HCC's House Rock property as well as the Olivia Smith Conservation Easement. Richard Head their were two points to consider regarding this: I. They should be noted on the plan, and II. The Commission should note any possible impact on the property or easement. He noted this would be an area to investigate.

John Segedy said that when considering impact, we shouldn't just consider the ATV Club's proposed use of the trail, but use by others as opening up the trails will allow any ATV user to use them.

Richard Head suggested reaching out to other ATV Clubs. Linda White suggested reaching out to Henniker and other Conservation Commissions.

The HCC discussed the process of developing their position and presenting it. It was noted that they may end up needing to ask for more time to research specific issues.

Richard Head asked that at the next meeting they could discuss specific issues and questions to research (to the extent possible assuming a final proposal isn't necessarily going to be provided by then).

John Segedy questioned why take the position that the HCC needs to determine if there is a problem with a proposal. He suggested that while if such evidence could be developed, all the better, but the onus should be on the ATV Club to prove their proposal won't cause problems. Richard Head said they couldn't control what the Club would present. John Segedy responded that questions were going to be presented that people submitted in advance to have answered.

3. **Aquifer Ordinance** – John Segedy reminded the Commission that they would be meeting with the Planning Board on September 19th to discuss the proposed Aquifer Ordinance.

OTHER BUSINESS

1. **Emerald Ash Borer** – John Segedy, noting the HCC's prior discussion of the matter, reported hearing about reports that the Quarantine had not been working and may be lifted. The HCC discussed the matter briefly.
2. **Tussock Moth Caterpillar** – Terry Yeaton reported that there are a lot of these this year. He described them as a hairy fuzzy white caterpillar that can cause allergic reactions.

ADJOURNMENT

John Segedy moved: *To adjourn.*

Linda White seconded. Motion passed 5-0 at 8:49 pm.

Respectfully Submitted:

John P. Segedy

Recording Secretary

Approved September 20, 2018