

ATKINSON CONSERVATION COMMISSION MINUTES

July 7, 2003

Present: Scott Kukshel, Tim Dziechowski, Carole Hall, Peter McVay, Paul Wainwright, Michelle Veasey

Guest: Steve Lewis

Scott Kukshel, chair, called the meeting to order at 7:40 p.m.

Steve Lewis had two projects to present to the conservation commission: The former Jane Jones parcel of 10 acres with the house lot on Main St. having been subdivided. Steve is interested in donating the rear of the parcel to the commission with the provision that the old growth trees are protected and can NOT be logged, with that as a provision in the deed that transfers the land to the town and the commission. Steve said the parcel has been topo surveyed with wetland delineation, that he had talked with the planning board who wanted to know whether the commission was interested. Steve said he thought the town should own the parcel due to its old growth trees and the location which provided access to the pond, that it is a unique open space. It was noted that Jane Jones was a former member of this commission and Steve thought that she would consider this an appropriate memorial and that the land should be named in her memory. He suggested Jane Jones mature Growth Forest and for the parcel to include a walking trail. The consensus of the commission after discussion and questions was that they are willing for Steve to move ahead with this proposed land donation. Scott said he would write a letter to the planning board to address our interest. The lot is 7.15 +/- acres. Steve will do the legally necessary items to take it out of Settlers Ridge. The commission will then need to go before town meeting to have it voted as town forest land. There will be a covenant in the deed to protect the trees. Steve left a set of plans showing the parcel.

The second item was a lot that Steve Lewis is taking before the zoning board at its next meeting. The owner is Kuldip Baines in Brushwood subdivision Map 2 Lot 47 off Jericho Rd. The owner is proposing a 75 ft setback to wetlands for house instead of 100 ft. variance as per the local wetlands ordinance. In addition the agent is proposing a 50 ft no disturbance / no cut buffer as a condition in the deed. After questions and discussion: Paul Wainwright moved, seconded by Tim Dziechowski to recommend approval of the proposed plan with the condition that the 50 ft no cut/ no disturbance buffer be a permanent part of the deed. (Carole will write the letter.) **Passed Unanimous.**

The commission briefly discussed several other items with Steve Lewis including general discussion about easement purchase of parcels for town, including agriculture easement and DOT land purchase system for mitigation.

Mr. Lewis left the meeting.

Commission business: Minutes- defer May, June and July approval until next month.
Treasurer – no expenditures

Dredge and Fill application status: Killam Dredge and Fill issue of who owns the right of way access, whether it is an easement owned by the town or adjacent homeowners or by the developer of the subdivision off West Side Dr, George Lemery. He has retained an attorney and the commission is in receipt of a letter from that attorney ascertaining to the unclear ownership of the right of way. Carole said that the state does not issue permits for any work on a piece of land to someone when the ownership is unclear and

or permission by the owner has not been given for the work to be done. The commission discussed the statement by the wetland scientist for this project that there are non – jurisdictional wetlands and that the state has jurisdiction over all wetlands and does not consider that any wetlands are not in its jurisdiction, that this misinterpretation needs to be corrected. Carole suggested that the state call the wetland scientist to have a discussion. There was also some discussion about a conservation easement for Map 11 Lot 9-2 for 4.5 acres since some portions of this include the pond and the stream. It was noted that there should be a buffer for the entire length of the stream due to its value.

Special Projects: Grant status: We got the paperwork, signed it and sent it back. The grant is to be for two years. There is a schedule of regular quarterly reporting. Sept 30 is the first quarterly report and at three month intervals after that. Paperwork will be sent to us with info for submittal of payments. Bill for the first mailing is \$900. Pete discussed that seven volunteers have come forward and his concerns about managing a group. Commission proposed a general land walk for general assessment for conditions and signs needed for posting. Michelle volunteered to head up the trail leadership. There will be a general initial meeting and walk scheduled to go over one parcel to come up with general guidelines for each parcel. Atkinson owns 64 pieces of raw land. This will be a trail inventory workshop. Pete also requested articles on wetlands and trails for the next newsletter.

Paul needs to set a date with Sandi Crystal from DES for next wetlands talk. Proposed wetland zoning modifications were discussed. Including meaning of adjacent. Scott is drafting a suggested local wetland ordinance based on discussions and models from other commissions. Suggestion we should ask state how many prime wetland hearings are held yearly and how many prime wetland applications are received.

ATV general meeting involving three towns (Plaistow, Atkinson, Hampstead) is scheduled for July 16 at Hampstead Town Hall. Meeting organized by Jill Senter, chair of Plaistow conservation commission. NHF& G rep will be present.

ZBA agenda for next Wed includes Bairnes, previously discussed. Planning Board agenda includes proposal by Paul Regan on Maple Ave for three-lot sub-division on 39 acres. Paul Wainwright moved, seconded by Pete McVay to adjourn. ***Passed Unanimously***

Next meeting will be August 4 at 7:30 P.M. at Atkinson Town Hall.

Respectfully submitted,

Carole Hall, Secretary
Atkinson Conservation Commission