

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

Guests: Jim Gove, Mike Garripy, Keith Coviello

Scott Kukshel, chairman, called the meeting to order at 7:41 pm.

#### Guest Business & Plan Reviews

Keith Coviello, Mike Garripy and Jim Gove were present to bring the proposal for the former Dickey property, Main St., Map 13 Lot 29, 67.5 acres before the commission. Keith Coviello presented the conceptual phase submittal proposes using the cluster ordinance to create 27 lots on 67 +/- acres off Main St. with about 2500 ln. ft of roadway. The 27 ½ acre lots will have 36 ½ acres open space with individual septic systems and common well and will meet the setback requirement of 50 ft. and 200 ft. cluster setback.

Jim Gove, of Gove Environmental Svcs., presented the land overview. He showed an aerial photo taken off GIS services that showed the house and barn and outlined the site. His explanation included that the parcel was relatively flat area in the front, shows past agricultural use, demonstrated by thick topsoil area fairly uniform indicative of some areas in fields in past with oaks growing in, showed drainage divide, then very steep high drum land format, Woodbridge and Paxton soils, and wetlands shown on aerial are from National Inventory Resources Wetlands. Then he showed the site plan map as surveyed with conceptual planning. It includes the front of parcel by the barn showing a small isolated wetland with wetland vegetation and no vernal pool characteristics. He explained that the stonewalls further back on the parcel divided the wetland areas from the agriculture areas. That the wetland soil line followed the line of the old stonewalls. The wetland was a red maple swamp. Further back on the parcel the next stonewall marked the drainage divide with another red maple swamp area. Then there were steep 'D' and 'E' slopes to the top of the drum land, then a drop down to a larger wetland contiguous across the back of the site, then a climb up to another drum land on the other side of the divide. He said most soils fall into the Group 3 category, which include Woodbridge, Scituate, and Paxton with the isolated wetland in front. He said that LaVelle's office did the survey. He said that there is no need for a dredge and fill application for this project.

Tim D. commented that the divides separated the parcel into two distinct major drainage systems. There was discussion of the drainage systems and divides.

Keith Coviello talked about the condo documents. There was discussion of public access and trail possibilities across rear of parcel. And possible public access in middle of roadway length past curve area. Mike Garripy discussed deed restrictions, easements, land ownership by association with the need to look at options of relocating existing trail to balance future homeowners privacy with public access limited to pedestrians only. The commission asked many questions, including discussion of a ROW access and roadway 'saddle' area. Guests discussed suggestion of easement rights to conservation, confirmed ROW ownership with deed restriction or standard easement language. Process was discussed including whether guests came back to future conservation meeting and how interactions would continue.

Guests said they are scheduled for Planning Board on Jan 21 with plans due by Jan. 6.

Guests left at 8:15 p.m.

Next Guest: Jim Hammond came into meeting. Gary Scola was also present.

Jim Hammond of Engineering Alliance, was present to present a proposal for Bryant Brook Est. on property located between lower Maple Ave. and Washington, Map 9 Lot 33 (Lathrop property). Jim Hammond presented a proposed plan for 6 house lot subdivision and for the 7<sup>th</sup> lot to be permanent open space. He summarized his reviews with Steve Keach, engineer for Atkinson Planning Board, permitting process, workshops with planning board, and current status of waiting for comments from department heads. He has applied for state site specific. He is ready to apply for NHDES wetlands permit and plans to submit application at the end of this week, but wanted to talk with conservation commission first. Mr. Hammond reviewed the plan which shows the brook running parallel with Maple Ave. The parcel is 15.6 +/- acres. There is a high point along Maple Ave area which dips down, and then site goes back up in elevation. There is planned 800 ln. ft. of roadway to the cul-de-sac with six lots with individual wells and septic systems and a seventh lot proposed to be permanent open space of 7.6 +/- acres. There is a proposed crossing of wetlands for roadway construction. The wetlands were flagged by Jim Gove, Gove Environmental Svcs. The resource is associated with Bryant Brook. There is an isolated wet area. The watershed was traced back to Academy Ave. The plan originally proposed two parallel 36 in culverts. Due to beaver activity and concern about clogging, and discussion with road agent and Steve Keach, town engineer, the plan was revised to include 1 – 60 in culvert instead with drainage calculations mostly on lots 1-2-3 including side slope waiver from the planning board due to storm water sheet flow off roadway into natural vegetation while maintaining existing natural swale. There is direct flow down Maple Ave with an existing 12' culvert. There was a roadway waiver width wavier granted from 24" to 22". Discussions took place with fire dept for driveway slope maxed at 12 ½ ft for safe passage of fire equipment. Questions were asked in regards to lots, wells, driveway lengths and side slopes and run-off, water calculations entering property along Maple Ave and amounts exiting property, possible trail access for public, site walk plans. The applicants are planning to submit a dredge and fill application for about 6400 sq. ft. for crossing.

Jim Hammond and Gary Scola left the meeting at 8:55 p.m.

Guests: Patty Mangini, Atkinson Recreation Comm., Michele Dube, Atkinson Rec. Comm., Gary Sherman, Timberlane Athletic Council, Tom Dube, Atkinson Rec. Com.

Patty Mangini was spokesperson for the group. The Atkinson Recreation Comm is looking for town land to use for a lacrosse field. The field would be used for six weeks in the spring season. There were several proposals placed before the commission requesting use of town conservation land for recreational purposes. One proposal included removing the burn and white dump and recycling center from Pope Rd where is currently exists to town conservation land off Industrial Way to the parcel known as Marshall land. Then the current location on Pope Rd. would become a field. The proposal was that the burning would be discontinued and a chipper would be used for the wood, along with relocating the recycling bins. One reason for the suggested removal of the current burn dump site is the ashes onto the fields and the adjacent senior citizen housing complex. Another proposal focused on the town owned land off Sawyer Ave. There is about 20 acres town land within the conservation area that was formerly used as a horse rink for the 4-H some years ago. There would be parking proposed along Sawyer Ave. The recreation commission also formally requested use of the Carolyn Orr field behind the Atkinson Community Center. The field is currently held

in conservation land use. It was purchased originally by the SPNH (Society for Protection of New Hampshire Forests) and held with deed restrictions until the conservation commission was able to acquire the site using LCIP state funding. Patty noted that the legislation enabling the LCIP had been repealed, so she thought the restrictions on the parcel were no longer required. The commission discussed passive use of the field for sports, which allowed occasional pick up games, not regularly scheduled activities. Patty argued that the field was used regularly for games all summer long when the former Trinity Camp was active. Scott had talked with the state agency charged with the lands protection and use, and concerns had been expressed that regular use of the field for scheduled activities did not meet the protection requirements. Also, the liming on a regular basis exceeded the conservation restrictions placed on that property during acquisition. Patty had a copy of the deed and did not see any restrictions or limited use or covenants recorded as such. All the recreation members expressed frustration at the need for fields and lack of resource and wanted the commission to work with them to solve the problem and allow them use of conservation land. Some of the frustration was the growth and lack of recreation open space land and the increasing numbers of young people involved with sports thus requiring the use of more field space than had been planned. Patty also commented that she had talked with Chuck Morse, state senator representing Atkinson, about the need for fields and the conservation restrictions on the open space. She said that he is a resident of Salem and has helped that community gain waivers to limiting conditions and he was willing to help the recreational commission do the same in Atkinson. Peter McVay talked about the DOT land acquisition program for secondary impacted communities from the reconstruction and widening of I-93 and whether funds would be available for lands. The land on East Rd. owned by the state DOT was also suggested as a possibility. Conservation members expressed a willingness to work with the recreation commission while at the same time maintaining the integrity of the passive recreation restrictions placed on parcel deeds at the time of purchase. It was expressed that while the recreation comm members had been discussing and researching this issues for some months, that this was the first time the conservation commission members had heard about and were made aware of this issue, so we needed time to work on this issue and to research the lands in town for a possible recommendation. Conservation members and recreation members both agreed to do research on parcels and have more information available at the next meeting. The documentation of Trinity Camp and its purchase will be reviewed. The tax map will be reviewed for a list of alternatives. The road agent will be contacted about the burning and possible relocation. Peter McVay will contact state DOT about acquiring lands. Conservation members will check out deeds of Marshall land, in particular and look at other town lands.

The recreation members will come back to the next conservation meeting on January 5, 2004 where this issue will be discussed again.

Guests left at 10:00 p.m.

The commission took a short break before continuing with the agenda.

Meeting resumed with conservation commission members only (as listed above) present

Items of internal business on the agenda were skipped due to lateness of the hour. Minutes review and approval was deferred until next meeting. No money was expended from treasury.

Complaints were discussed. Jim Kirsch had received a complaint that trees had been cut on the McPherson conservation land by the adjacent landowner. Scott and Jim measured the frontage of Goldstein's land with the complete cooperation of the owner. Some brush had been cleared and old cars stored in that area. The owner said they were his son's and he wanted them gone too. So they will be removed. Brush that had grown close to the barn, including bamboo, had been cleared. Scott said it was unclear whether trees had been cut. They talked with the owner so he is clear on what he can and cannot do.

Scott noted for the record that conservation owns a brush hog cutter which he just used to help clean up around the Academy.

The issue of ATV's was discussed. Tim Dziechowski reported that he had attended the regional meeting and he was the only person not from Plaistow. He handed out reports of the ATV issues attached to November preliminary meeting agenda / minutes with an addition. He reviewed HB 1166 and whether there was a continued need for town local ordinances. He will e-mail a proposed model ordinance to selectmen. Plaistow plans to use same ordinance. They are banning ATV's and trail bikes but not snowmobiles. Plaistow would like to go in with us on a group buy of signs. There was a discussion of type and number and materials needed for signs and it was noted that the vendor listed Voss signs, was the cheapest.

Motion made by Carole Hall, second by Pete McVay to authorize Tim Dziechowski to spend up to \$400 to buy signs and materials from this year's budget with the addendum that moneys need to be reported to town treasurer by Dec 16 prior to closing of books.

***Passed Unanimously***

The Town Land and Trails Brochure was discussed. Pete showed a mock up of the Trinity Trail system. There is a status report due on the grant at the end of Dec. Scott will take care of the report.

Proposed Wetlands Ordinance status was reviewed. Scott took the proposed ordinance to the planning board at its Nov 6 meeting. He didn't hear any comments for the whole month, then talked with Sue (chair) before last week's meeting. He reviewed their comments in the minutes. There is a public hearing scheduled on the proposed ordinance on Dec 18. Due to some of the comments about wordiness, Scott agreed to put together a summary table. He said everything in there is up for negotiations and said any help from members is welcome. Reason for length is trying to cover both prime wetlands and buffer zones and variable conditions. After the first public hearing, there will be reworking for the second public hearing held in Jan. Last version of the proposed ordinance is dated Nov 26, 2003.

The commission discussed conservation easements and reviewed several areas in town including view along Main St. as worthy of protection. Several parcels in several different areas of town were reviewed as to potentials.

Tim Dziechowski made a motion to adjourn which Michele Veasey seconded.

***Passed Unanimously***

Next meeting is January 5, 2004

Carole Hall, Secretary