

**Minutes, Atkinson Conservation Commission
November 7, 2005
Atkinson Town Hall**

Call To Order by Chairman Tim Dziechowski at 7:09.

Attending:

Tim Dziechowski
Dan Kimball
Scott Kukshel
Pete McVay
Paul Wainwright

Guest Business and Plan Reviews:

Carol Grant – Scenic Byway – Carole presented preliminary plans for designating sections of Main Street as a scenic byway. The project started as a way to beautify the Cogswell Farm area and preserve it as a scenic vista, but has since expanded to include more of Main Street. The Planning Board and Historical Society are also interested in preserving large areas as part of this plan, and the concept has expanded to include all of Main Street, from the Plaistow border north to Hampstead. Hampstead and Chester may be interested in designating their part of Main Street (Route 121) as an historic scenic byway, extending the zone still further north. Carole has many pictures of Main Street historical buildings and sites, which would be part of a presentation to interested groups and the Scenic Byways Council. The state Scenic Byways Council does a site inspection. Discussion ensued on the process, inclusive houses and areas, funding, and management of such a project. Areas to investigate for inclusion and support are the Carter Plan, the town Master Plan, and the Rockingham Planning Commission corridor planning. A motion was made and seconded for the Conservation Commission to voice our support for a scenic byway from Atkinson from the Plaistow town line to the Hampstead town line. The motion passed unanimously.

Rita Betournay, lot 14-2: the possibility of a conservation easement of the land depends upon many factors, including discussions with potential development buyers. No firm commitments on any potential easements have been made as of this date.

Chambers (‘llama lot’) subdivision plan: An expedited application for easement was approved by the Conservation Commission in June, but rejected by the state. The Atkinson Fire Department also said driveway had to be wider. A revised plan was shown to the Commission, and will be presented to the next Planning Board meeting. It was moved and seconded that the new application be approved and sent to the planning board for approval. (The motion passed unanimously and Tim will write a letter to the Planning Board.

Internal Business

Secretary report: The minutes of 3 October were amended, and a motion was made and seconded to accept the amended minutes. The motion passed unanimously. The minutes of the October 17th workshop were amended, and a motion was made and seconded to accept the amended minutes. The motion passed unanimously. Tim noted that according to RSA 36-A and 91-A, there is no distinction between a “workshop” and “monthly” meeting. Actions can be taken, as long as the meeting notice is publicly posted and is open to the public.

Treasurer’s report: Tim stepped aside and Paul assumed chairmanship for this session. The Conservation Commission has received an invoice from Tim’s Tractor for Fall 2005 field mowing for Sawyer, Bonin, and Community Center fields for \$900. It was moved and seconded to pay the invoice. The motion passed with one abstention.

2006 Budget: The town is looking for level funding for next year, so the Commission will have to review any new spending. There was some discussion on the rules and policies as to how the Commission can manage the funds in their budget. Pete mentioned that the Local Government Center, a state agency, will provide legal assistance on what a conservation commission can and cannot do, particularly on what funds can be used for particular projects and what paperwork is needed. Major budget items for the Commission for 2006 include care of grounds, trail and road gravelling, care of trails and parking lots, mowing, and publications and education, such as the town trail map and pamphlets and guides for easements. Each cost should be presented as a separate line item in the 2006 Conservation budget. There is also a need to update the forestry management plan, being reviewed by Dan, and updating the Atkinson Master Plan and Natural Resources Inventory. It was noted that the Conservation Commission has one of the smallest budgets in the town budget, and our needs for conservation activities are growing. Tim will be on the Selectmen's agenda for next Monday, and then will go to the Budget Committee with our concerns.

SPNHF easement monitoring: no report.

Conservation Web Site Status: A complaint was received that the 2004 Wetlands Zoning article appeared to be a new proposal. Scott will review the site and change the article.

New Member Recruitment: no action.

Other Dredge and Fills / Site Walks / Complaints

Brooks Properties: A complaint on the Route 111 lot 21-4 was filed with the state (DES file 2005-01993), but no new actions have been taken.

McPherson Lot: there is still an investigation pending on unauthorized horse trails on the land. The Commission will wait for a hard frost so the swampy land can be walked and inspected.

Review of Correspondence

Planning Board Agenda Items: no actions by the Commission.

Zoning Board Agenda items: no actions by the Commission.

Other Business

Mowing schedule: An email was received by the Commission with a number of comments and suggestions, including mowing height and cleaning/policing of "trash" areas. The Commission will review these comments for potential action and/or policy changes. Pete commented that we also need to respond to these emails, and to least acknowledge them, in a timely manner. Pete will respond to this one.

No Hunting Lands: The Selectmen's Office has received a number of calls concerning posting of no hunting signs on designated town property. Russ got signs from the Fish and Game, and Ted is posting them on designated lands. Also, the Selectmen wanted the "No Hunting" designation on the Trail Map. The lands designated as "No Hunting" are:

| Lot | Land Name or Identification |
|------------|------------------------------------|
| 12-2 | Chadwick land (Pope Road) |
| 4-4 | Chadwick land |
| 3-108 | Cirome land (Sawyer) |
| 3-19 | Bonin Land (Sawyer) |
| 4-11 | Sawyer land |
| 5-48 | Trinity House (Community Center) |
| 16-12-1 | Marshall Land, Industrial Drive |
| 4-50 | McPherson land |
| 2-53 | Brushwood Drive |
| 9-34-10 | Sumners Land (Washington/Wason) |
| 19-18 | Chambers/Fila |
| 19-33 | Crown Hill |
| 19-61 | Noyes land |
| 19-62 | Hanson West |

Trailhead parking safety issues – parking improvements was deferred to next meeting.

Private Session: Conservation Easements / Land Purchases

Commission went into private session under RSA 91-A:3d to discuss land and possible gift lands. It was moved and seconded to go into private session, Passed unanimously.

Private session was closed at 9:24 by motion that passed unanimously. The Chairman noted that no business was transacted in the private session.

A motion made and seconded to authorize the chairman to take out an option of first refusal on the Currier Lot up to 10% of the asking sale price. The motion passed unanimously. Tim will now investigate the Conservation Commission getting an option.

Special Projects

New state law states that wetlands are now state-defined, and we must comply with the state definition. Our current ordinance does not comply. 19-ALR4:756 refers to a 1992 Supreme Court division says that people can be regulated on land use, but cannot be denied access to their land. Any removal of access must be compensated for. Wetland zoning changes must not limit access.

Scott reviewed last year's article and will email his changes to Commission members for review. Scott has (1) changed the definition of wetlands, and (2) reduced this to cut-and-paste of the original article and do it by petition. Scott will post and ask for comments back by 12 November.

The next meeting of the Commission will be Monday, November 21, at 7:00.

The next monthly meeting of the Commission will be Monday, December 5, at 7:00.

The meeting adjourned at 10:13.

Respectfully submitted,

Pete McVay