

**Minutes, Atkinson Conservation Commission
May 7, 2007
Atkinson Town Hall**

Call To Order by Chairman Tim Dziechowski at 7:06.

Attending:

Tim Dziechowski
Dan Kimball
Scott Kukshel
Denise Legault
Pete McVay
Michelle Veasey
Paul Wainwright

Guest Business and Plan Reviews:

Chinh Nguyen, request for advice on procedure for 28' wetlands variance to build house at 5 Orchard Springs Drive, Map 14, Lot 83-4. A preliminary review of the lot plans, dating from 1998, show that the area is extremely wet and marginal at best. Steve Lewis has information in his file that was not available in time for the Conservation Committee meeting. Several Commission members will do a site walk this week, and the information will be used for review and ZBA.

Sue Killam: foundation distance to wetlands, Hitchcock Lane. New house on the lane may be too close to wetlands. The original lot plan was 140' from the wetlands. The actual building is 100' from the wetlands, so there is no problem.

Steve Lewis: Jane Jones lot (Map 17, between lot 2 and 3, with access to the Stewart Farm pond area). The Commission has been considering acquiring this parcel for several years, based on the wishes of Jane Jones through Steve Lewis. An appraisal was done in 2005 that assessed the value at \$250,000, at the height of the building boom in Atkinson. The lot is attached to Settlers' Ridge, and the size and shape of the lot precludes any building or development of the lot. The Commission offered \$125,000 for purchase and was refused as too low a bid at the time. No action can be taken even though the land is again available until some status questions are answered by Sue Killam and Sumner Kalman.

Internal Business

Secretary report:

A motion was made to approve the April minutes. The motion was seconded and passed with five ayes and two abstentions.

Treasurer's report:

Saving special places reimbursement: no action

Reimbursement for field book file creation was submitted by Michelle.

Busby lot administrative tax rebate: \$1050.35 was returned to the Conservation Fund. Scott Motion that the tax rebate be put back in the conservation fund. Dan seconded the motion and it passed unanimously.

Reimbursement *A Hard Road to Travel* yet to be submitted to the town treasurer.

Officer elections for 2007-2008.

2006 officers were re-elected by acclamation: Tim Dziechowski, chairman, Paul Wainwright, Vice-chairman, and Pete McVay, secretary.

Other Dredge and Fills / Site Walks / Complaints

2006-00066 Paul Masone, Stickney Road: shoreline restoration. Approved but administrative action is being taken by DES.

No file # 27 Island Pond Road, dredge and fill without permit. No action to report.

Map 5 Lot 2, Paley, brush dumped in wetland, DES complaint to be filed (per discussion with Eben Lewis, DES enforcement). Tim has pictures and will file.

2004-02460 Mildred Reynolds, 23 Chase Island Road, construction of seawall without permit. No action to report.

DES rules changes update: many legislative actions have passed the house and are up to the senate. River reclassification is up. Increase in conservation staffing, tree cutting on protected shorelands. Nothing will be enforced until 2008.

Review of Correspondence

Planning Board Agenda Items:

Scenic byway project update - logging in "tunnel". The Scenic Byway and Master Plan should go to public hearing.

Proposal by Peter Lewis to construct water tower on open space land at Jameson Ridge development. Workshop meeting decided that it is not for public use, and is open space for the development, and not permitted without a variance.

Proposal by Hampstead Area Water Company (Peter Lewis) to drill eight new wells in Atkinson. There is a lot of investigation that will have to go into this before it can move forward, in no small part because of the change in laws to provide a more objective analysis. (Get powerpoint presentation from Tim.)

Zoning Board Agenda items:

Patrick Mallon, 8 Valcat Lane, application for wetlands variance, expansion of existing house and conversion from seasonal to year round - April meeting, told needed letter from DES, continued to May

Chinh Nguyen, request for 28' wetlands variance to build house at 5 Orchard Springs Drive, Map 14, Lot 83-4. Chinh was a guest at the conservation meeting tonight to discuss this request.

David Brown, 11 Lippold Road, application for expansion of existing home within same footprint and conversion from seasonal to year round - approved with requirements for gutters and dry wells to control runoff. UPDATE: filed for building permit with unapproved deck and balcony and is on May agenda for a variance for those.

Mullett family variance application for two-lot subdivision on former Betournay land. The larger lot is 10.75 acres and could be redeveloped as a cluster.

Mike Saviano, request for variance for 24'x31' garage 51' from wetlands at 33 Boulder Cove Road, Map 20, Lot 12

Scott made a motion that we adopt a policy that the commission will automatically recommend denial of a wetlands setback variance unless the applicant appears before the commission at a regular meeting to justify the request. Dan seconded the motion. Motion passed, six ayes, one nay.

Other Business

Trail mailbox repairs (especially Sawyer mailbox) and restocking. The new mailboxes will not be put in until June. All have been restocked.

Busby barn roof, well. There is also at least one other unlocated well in the field. The located well is between the building and the road, and is a dug well lined with stones, approximately 15 feet deep and covered with a wooden cover. Some of the concrete ring has broken and fallen into the well. It needs a concrete cover than can't be moved, since the well might be useable. We need to research cost and possibilities. Michelle will check with the Busbys. Roof repairs are waiting for a report and bid from Randy Bishop.

Recreation deed exchange. This is still pending and now that the rebate is in, will begin negotiations with the Recreation Commission. There was some discussion about what needs to go into the deed addendum: topsoil sales rights, freedom to manage forest area, remove snags, etc. Tim will put together a deed addendum and use the SPNHF standard easement. The Busby land backs up against the Bryant Woods open space, which also needs to be taken into consideration.

Right Of Way on Marshall land: there was some discussion about moving the right of way to the end of the lot, but this needs to be discussed with the abutters and Bernie Campbell. Pete made a motion to authorize Tim to expend not more than \$500 on legal services to clarify the right of way from Industrial Way to the Marshall Land. Michelle seconded the motion and it passed unanimously.

Report on CTAP Hampstead meeting. Tim attended the meeting, which concerns mitigation of the I-93 development for impacted communities. Representatives from UNH, Audubon, Fish & Game, RPC were present. The main discussion was on the Federally-mandated Wildlife Action Plan, which is worked on by state and private agencies. This plan shows the endangered species throughout the state. The question was, where should development not happen, which was not well answered. There is some useful data on the plan.

Friday afternoon community conservation workshops. These Friday afternoon workshops cover a wide variety of topics and are available in the Rockingham area. A walk in the Salem town forest is on July 27th. More information can be found at the UNH web site at <http://extension.unh.edu/Wildlife/documents/summer07.pdf>. Pete will update the Atkinson Web Site with this information.

Code Enforcer for DES land protection: Jeff Blecharczyk DES Shoreland Protections Code Enforcer, will meet with the Big Island Pond Association to discuss rules and regulations on shoreline development.

Island Pond Canoe Launch needs rebuilding and repair. Pete will investigate costs for a dock and present estimates at the next meeting. He noted that the canoe launch is in almost daily use now and is becoming more popular, and would like to move quickly to improve the launch as a community asset, since it is the only public access on Island Pond.

The next meeting of the Commission will be Monday, June 4th, at 7:00.

The meeting adjourned at 9:50.

Respectfully submitted,

Pete McVay