

**Minutes, Atkinson Conservation Commission  
September 8, 2008  
Atkinson Town Hall**

**Call To Order** by Chairman Tim Dziechowski at 7:47.

**Attending:**

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

**Internal Business**

**Secretary report:** A motion was made to approve the August minutes as amended. The motion was seconded and passed with one abstention.

The May minutes were deferred because the attendees of the May meeting were not present at tonight's meeting.

**Treasurer's report:** no expenditures last month. The town has requested that the budget be submitted by the end of October, which is a problem since most grounds work is done on conservation land at the end of the year. Expenditures may include an update to the Forestry Plan, and posting of conservation signs.

**Other Dredge and Fills / Site Walks / Complaints**

**Conservation commission commentary on HAWC groundwater** withdrawal proposal, DES response. Tim had sent in questions from Christine Bowman (DES) and received a response letter, which will be placed in Commission files.

DES letter to HAWC lawyer, issues with **Slade Town Forest**. There is an SPA well protection area within that zone right over the Slade Town Forest. HAWC claimed they needed no proof of ownership or easements because it is town forest. Tim needs to write a letter to DES stating that the land is under Conservation Commission jurisdiction and there is no easement in effect. A motion was made to determine whether the Commission has any interest in granting an easement to HAWC for the purposes of establishing a well water protection area in the Slade Town Forest adjacent to a HAWC existing well. Motion was seconded, and was defeated 5 to 1.

**Review of Correspondence**

**Planning Board Agenda Items:**

**Prime wetlands article and concerns:** Tim put forward the text of the warrant article for the upcoming town election, identifying the seven areas as prime wetlands with no changes in setbacks. Anyone within those areas would have to apply to DES for a major permit, minor permits being excepted. Tim promised to look into several objections and exceptions to this proposal. Tim would approach Sandy Crystall of DES to see about setback easement and revisit the warrant article.

**Golf course condos** approved.

**Zoning Board Agenda items:**

**Ferreira-Ludwig**, special exception to add second-story addition, 12B Stickney Road, Map 23, Lot 48, and also conversion from seasonal to year round, both approved. This was not a duly noticed public hearing because the conservation commission is an abutter and was not notified. Also this lot is within 250' of Big Island Pond so a wetlands violation complaint may be in order against both the applicant and the ZBA. A motion was made that the Conservation Commission request a rehearing of the Ferreira-Ludwig public hearing, as the Commission is an abutter, was not notified of the hearing as required by law, and the property is within the boundaries defined by RSA 483: the Shoreland Protection Act. The motion was seconded and passed unanimously.

**Dobrov, expansion/alteration** (teardown/rebuild) replacing cottage with new primary residence at 3 Valcat Lane, Map 22, Lot 48. The ZBA felt that this complied with the new shoreland protection act. Variance and year-round conversion both approved. A motion was made to file a wetlands complaint with DES that this application requires a shoreland permit under RSA 483 and none was applied for. The motion was seconded and passed unanimously.

**Orlando**, special exception/expansion to extend existing bedroom 75" x 10.5'. 7 Valcat Lane, Map 22, Lot 50. Continued to 9/10 due to issues with septic, shoreland protection, and Class 6 road.

**Other Business**

Michelle mentioned the "New Hampshire Carbon Challenge" on October 8<sup>th</sup>. Pete will post a notice about this on the web site.

Patti Mangini contacted Michelle about looking at the Busby Land to see what is going to be done. The Commission needs to review any plans before this goes ahead.

The Conservation web site has problems with links and content. Pete will investigate using techniques suggested by Michelle.

The next meeting of the Commission will be Monday, October 6th, at 7:30.

The meeting adjourned at 9:10.

Respectfully submitted,

Pete McVay