

**MINUTES OF MEETING  
CONWAY CONSERVATION COMMISSION  
June 14, 2006**

A meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Present were: David Weathers, Rob Adair, Chuck Broomhall, and Alternates Linda Kearney and Connie Briggs. Also present was Linda Comeau of Upper Saco Valley Land Trust.

In Mr. Pinkham's absence Rob Adair served as acting Chair and appointed Ms. Kearney and Mr. Briggs as full voting members.

**Approval of Minutes (4/12/06 and 5/17/06): Motion by Mr. Briggs, second by Mr. Weathers, that the Minutes of the April 12<sup>th</sup> and May 17<sup>th</sup> meetings be approved as written. Carried by unanimous vote.**

**Public Comment:** None.

**West Side Road Farmland Protection Capital Campaign:** Linda Comeau explained the process involving the purchase of an easement on 61.94 acres of Kennett property on West Side Road, noting it is some of the best agricultural land in the country. Ms. Comeau thanked the CCC for its support and contribution to the project.

Ms. Comeau reported there is \$12,000 in the account presently and another \$14,000 pledged, leaving about \$10,000 more to be raised in addition to the \$10,000 approved by the CCC. Total acquisition cost is \$138,000. The Kennett family has agreed to donate 25% of the purchase price (\$34,500) and the USVLT has to supply \$34,500 plus any expenses. They have a survey and appraisal and are just waiting for last minute details to be completed. Mr. Weathers advised the expenditure for the conservation easement does not have to go to a vote of the town, but has to be approved by the Board of Selectmen and Planning Board.

Mr. Weathers questioned whether USVLT is staying on top of the Hussey property. Ms. Comeau reported they approached Dr. Hussey first to get an application submitted to the program for the Old Cross Farm and the Hussey Farm; however, family issues with the Hussey property got in the way and they are hoping things will change in the future as Dr. Hussey's grandson is "on board" with the idea. Mr. Weathers questioned whether there has been any inquiry into the Schartner property. Ms. Comeau said they have not approached them, but are open to ideas.

It was agreed a letter would be sent to the Selectmen reporting on the vote taken by the CCC on 4/12/06 to allocate \$10,000 toward the conservation easement for the West Side Road project, and requesting that they approve, and that the Selectmen and the Planning Board offer their support as well. *[Vote taken on 4/12/06 to support USVLT/Kennett conservation easement funding in the amount of \$10,000 from the Conservation Land*

*Acquisition Account carried by unanimous vote – those present were Pinkham, Adair, Weathers, Broomhall, Briggs and Kearney.]*

**Selectmen's Report:** Mr. Weathers reported Selectmen/CCC received notification of complaint on the David Smith property in Center Conway adjacent to Trafford RV. The complaint was not spelled out, just that there was a violation. DES is following up.

Mr. Weathers reported receipt of a formal wetlands application for presentation by Barry Keith for a new development on Dolloff Hill submitted by the Kennett Company under the name of Arlington Development Group. It will be a standard dredge and fill application, impacting a 22,080 sf area of wetlands, 22 lots.

Mr. Weathers stated the town has received an offer of a lot on I Street in Cranmore Shores. Owners, Paul and Claire Conley, have owned it for 30 years, and are saying that they cannot use the land nor can they sell it. The town owns the adjoining lot (it was given up for taxes and will be put up for sale at the next auction).

Mr. Weathers noted that if a piece of property is not on the waterfront, it has not been the recommendation to accept it. This particular lot is small, is not buildable, and has no real purpose to the town that he could see.

**Motion was made by Mr. Briggs, seconded by Mr. Broomhall, that the town not accept the lot offered by the Conley's on I Street in Cranmore Shores.** Ms. Kearney questioned what will happen to it. Mr. Weathers said if it cannot be filled or drained, it would basically serve the same purpose as it does now – it will collect a little runoff from the road, is not serving to improve groundwater quality, has a seasonal high water table, and he sees no reason to take it. **Motion carried by unanimous vote.**

**Forester Report:** Mr. Adair had spoken with Don Johnson who had advised he could not be present and, in fact, had no forestry issues to discuss.

**Whitaker Trails Plan:** Mr. Adair said nothing has occurred since last month. Messrs. Broomhall, Johnson and Adair have discussed it. Mr. Briggs said he was somewhat concerned that if the newly seeded Armstrong Alley Trail is not blocked off at all, that people can tromp on the area that is seeded and hayed. Mr. Weathers felt if there were perhaps 200 people going over the same spot it could do some damage, or if some big event were planned it would be a good idea to flag it off with a sign saying new seeding. Mr. Adair felt it should be blocked off for at least a couple of weeks. Mr. Briggs said he assumed that if Mr. Johnson felt it should be blocked off he would have done so. Mr. Adair will call Mr. Johnson for his opinion

**Removal of Trees at Scenic Overlook:** Mr. Weathers said he had been contacted last fall by a local artist who would like to see the town take out 6 to 8 of the larger trees at the scenic overlook north of the Elks Club. It was the consensus that Mr. Weathers should discuss it with the Public Works Director and that probably the trees should just be felled and left there. **Motion was made by Mr. Briggs, seconded by Ms. Kearney**

**and carried by unanimous vote, to have some of the trees taken down at the scenic overlook north of the Elks Club on Rt. 16 in an effort to preserve the view.**

**Ongoing work at Sylvester Property, East Conway:** Ms. Kearney noted that a huge chipper is located on the Sylvester property which abuts her property. She is not sure how much is being cut in the wetlands and in the future road area. Mr. Weathers stated we do not have the right to go in there; we can ask and if refused, can refer it to DES as the enforcement agency. He stated the owner has a right to be cutting in there as long as he is not making big ruts in the hydric area.

**Easement Funding:** Mr. Pinkham has expressed the need for the CCC to draft some land acquisition criteria before we ask Selectmen for support. Mr. Adair will rough something out and present it next month. Mr. Weathers said the way the land is now for the Kennett property, it is not only prime agricultural, but also a prime wetlands protection area – part of the acreage did not qualify because it is hydric. He advised that anytime you can protect land on either side of a main river, that is what you should be looking for.

**Schiavi Property:** Mr. Weathers stated we are in the final stages of that transaction – the assessed value agreed upon by the State and the landowner are close to being “on the money.” Schiavi’s argument, based on his assessment, is a certain timber value he could yield over the next eight years. He is negotiating to get the value of that timber, as well as the value of the land. It is the Town Manager’s opinion that if we want to take the money out of the CCC acquisition account, that would be justified. Schiavi claims he has no other buyers in mind, but he wants to be able to cut timber. Mr. Weathers is against that, his feeling being if we have to pay more, so be it, but we should at least retain what we have there now. Mr. Briggs felt it is worthwhile for us to move to make an agreement along the guidelines that have been discussed.

**Motion was made by Mr. Briggs, seconded by Mr. Broomhall, that the Conservation Commission give those who are working on the project\* on its behalf, the authority to go forward and withdraw from our land acquisition account any funds necessary to acquire the value of that timber over the next eight years over and above the appraised value for the land. The motion carried with four votes in the affirmative and Mr. Weathers abstaining as Selectmen’s representative. [\*Town Manager, Don Johnson, Paul Pinkham and David Weathers, Selectmen’s representative.]**

**Reappointment of Members:** Mr. Weathers reported that the Board of Selectmen voted on Tuesday to reappoint Phil Haynes as a regular member of the Conservation Commission, and Connie Briggs and Linda Kearney as Alternates.

**Next Meeting Date:** The next regular meeting will be held on July 12th at 6:30 p.m.

**Motion was made by Mr. Weathers, seconded by Mr. Broomhall and carried, that the meeting be adjourned at 7:10 p.m.**

Respectfully submitted,  
Gail T. Currier, Recording Secretary