

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
January 19, 2011**

A meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Members present were: Paul Pinkham, David Weathers, Rob Adair, Dan Lucy, Carol Lyman, Linda Kearney, and Karla Allan. Also present was Wink Lees of The Nature Conservancy.

1. Approval of Minutes: 11/10/10 - Motion was made by Mr. Adair, seconded by Ms. Kearney and carried by unanimous vote, that the Minutes of the Nov. 10th meeting be approved as circulated.

2. Public Comment: None.

3. Reports:

a. Don Johnson was not present.

b. Wink Lees – The Nature Conservancy – Mr. Lees reported TNC is applying for a grant for recreational trails and would like a letter of support from CCC. He explained they had Student Conservation Association work on the trails in the Green Hills Preserve, as well as other places, over the summer; they are looking for help on the Black Cap Connector Trail which is in poor shape in terms of drainage and needs some help. He noted if successful in getting the grant, those students would come back in Aug. or Sept. to help. This year they did some work on the Black Cap Trail, also improved drainage on the Peaked Mt. Trail, and built some water bars. A copy of a letter to NH Bureau of Trails in support of the grant application was provided.

Mr. Lees noted also there will be discussion of the Mason Brook Trail at a future meeting – the upper portion is in pretty bad shape, has washed out badly from the boundary line to the height of land.

Hobbs Street Project - It was agreed to take up item 4, a next (Hobbs Street discussion) in that Burr Phillips - Civil Solutions, and Barry Keith had joined the meeting. Mr. Phillips stated that the owner of Tee Enterprises, (former Yield House property) Carl Thibodeau, has moved Veteran's Administration offices into his complex on Hobbs Street and is in need of additional parking. There are presently 70 to 80 parking spaces, they are applying for 40 additional spaces. He stated that in terms of the number of office spaces in the building, it is way under on parking requirements. The VA needs a total of 78 parking spaces; however, there is an issue of wetlands impact. Mr. Keith explained there is a strip of land which was owned previously by PSNH which Mr. Thibodeau has purchased, and Tee Enterprises has an agreement with Ham Arena for a strip of land, which would allow this proposal to occur.

Mr. Weathers questioned how they were able to get approval without these spaces? Mr. Keith said he previously worked on Ham Arena property, former Yield House property, and the former Kearsarge Metallurgical site, and has historic files on all three properties. Mr.

Phillips said the impact for the additional spaces would be about 7200 sf of fill, about half of which is within the 100 year floodplain. Mr. Weathers said he questions whether legally the Town can grant permission for activity within the 100 year floodplain since the ordinance was passed in 1974. Mr. Phillips advised it has been done, but required mitigation, citing as an example the Joe Berry project in North Conway. Mr. Weathers questioned if it is already floodplain, how is it mitigating the impact of this? Mr. Phillips stated only a portion of it is, and they will have to “do other things to make it work.” Mr. Keith stated there will be minor impact. They are adding 34 parking spaces. Mr. Weathers said if you can balance cuts and fills so it does not have a negative impact on floodplain footage, but taking existing 100 year floodplain is not going to do anything. Mr. Keith stated certain parts are in floodplain, but are man made wetlands. Mr. Adair suggested taking the top off the piles. Mr. Keith said they could consider that, could look at the mounds a little closer. It was noted Ham Arena gave permission to use a 150 ft. wide strip along the former Yield House property. This will be a boundary line adjustment. The next step will be obtaining the State permit. Mr. Weathers said working closer to the building will have less of an impact on those areas that have been established.

Mr. Adair stated it looks good to him, there is not really much value to those wetlands. The consensus was members are happy with the proposal. Mr. Weathers questioned future addition of spaces and was told they would have to go through the process again.

Treasurer’s Report: Ms. Lyman provided an up to date Treasurer’s Report. Mr. Pinkham noted one item not included is a \$1500 bill from Don Johnson for consulting, and we have yet to be billed by TNC (\$1300). He noted we are pretty much at current year budget, which was \$17,250; TNC would exceed it by a small amount.

Hubbard-Davis Acct. – there is \$15,306 in that account which is intended for improvements to the Hubbard-Davis property, but can also be used for other conservation work outside of Hubbard-Davis.

Conservation Land Account – Activity consisted of the \$10,000 payment to USVLT for the feasibility study. Mr. Pinkham questioned Mr. Sires’ progress on getting easements on existing conservation properties. Mr. Weathers will check on this.

Conservation Acct. - \$10,791.77 – beginning balance \$28,097.58 - Mr. Pinkham made note that the CCC had to reimburse the town \$17,000+ and had questions about that since he was assuming we were “off that,” noting the law allows CCC to retain unspent budgeted money. It was his opinion that CCC could be going forward with smaller budgets if we had a reserve - it is money that the town gives us to operate on, money which was previously from timber sales, and the CCC is now no longer allowed to keep it. He noted the practice was supposed to stop when we got down to one year’s value of our budget. Mr. Weathers suggested that Mr. Pinkham and himself make an appointment with Mr. Sires and the Finance Director to review this.

Current Use Account – It was noted this account is used for acquisition of conservation lands or easements. Ms. Lyman questioned who is in charge of how the accounts are set up, how it

is voted on. Mr. Pinkham noted the RSAs define some of these things. Our money goes into NH Public Deposit Investment Pool.

Selectmen's Report: Mr. Weathers reported the Selectmen are seeking a recommendation from the CCC regarding property off Irma Lane, off Pequawket Drive. The town could take for tax purposes two parcels between the road and the pond – ½ acre, 140 ft. water frontage. Selectmen want to know if CCC approves accepting it for back taxes (\$162.78). Value of the land is \$8,000. If we do not take it, it will go to public auction. Mr. Weathers stated we have done this before on the water front side. Some bidders buy such parcels just for protection.

The consensus of the members present was the CCC does not recommend the town acquire the property, but should put it up for auction.

4. Other Business:

a. Hobbs Street parking – see Pg. 1.

b. Whitaker Orienteering Events – Request has been made by Anthony Federer to be allowed to conduct orienteering in Whitaker Woods. Mr. Weathers questioned whether anyone has witnessed anything negative as a result of this activity out there. Mr. Pinkham said he has received no negative feedback. Mr. Federer is ready to apply for permits and is requesting a letter of support from the CCC. **Motion by Ms. Kearney, second by Ms. Lyman, that permission be granted for Mr. Federer to proceed with the orienteering project. Carried by unanimous vote.**

e. USVLT Update Feb. Meeting – Mr. Pinkham reported that Bartlett Conservation Commission would like to sit in on a joint meeting with CCC. USVLT will be discussing the feasibility of identifying different lands for conservation easements at the Feb. meeting.

f. Members and Reappointments – It was noted that with the resignation of Connie Briggs there is a vacancy in CCC Alternates. The procedure is generally to advertise for a replacement; however, if someone expresses an interest that will be considered.

i. Wetlands Applications – Mr. Weathers reported notice has been received from the State that they have created a permit approving restoration work on Lucy Brook for 153 ft. upstream of the bridge.

5. Next Meeting – The next meeting will be held on February 9, 2011.

6. Adjourn: Motion was made by Ms. Kearney, seconded by Mr. Weathers and carried, that the meeting be adjourned at 7:20 p.m.

Respectfully Submitted,
Gail T. Currier
Recording Secretary