

2010 Annual Report

Conservation Commission

Pursuant to RSA Section 36-A:2, included below is the Annual Report of the North Hampton Conservation Commission for 2010. Highlighted are some of the achievements made by our Commission as well as the challenges ahead of us.

Inventory of Conservation Land

The Town currently has 1,376 acres of land in conservation or about 15.5% of the Town's total land area. This land is comprised of 104 parcels, mostly concentrated in the Winnicut River Watershed, from which most of the Town's drinking water is supplied. The North Hampton Forever Sub-Committee completed its work for closing on the purchase of the 73.4-acre Corbett conservation land off Walnut Ave. It was a significant investment in not only conservation land, but in the added protection of the Winnicut River watershed. This project was the last to be funded from the 2001 Conservation Bond balance, as more fully described in the North Hampton Forever Annual Report.

Additions to the inventory in 2010 included 6 parcels from tax forfeitures or donations and 3 parcels as purchases through the North Hampton Forever program. Several other additions to the inventory are pending. Future near-term purchases will be funded through the Conservation Capital Reserve or by grants and will have no added impact to the tax rate. Other additional land may be placed into conservation through private donations of property or conservation easements. An updated map showing North Hampton conservation parcels is provided on the Town web site for public review.

Grants and Services

In 2010, through the efforts of the DES Coastal and Beach Programs, we were able to make significant progress in identifying the sources of bacterial contamination in the Little River, which is classified as an "impaired waterway". In one case, evidence of raw sewage outflow was discovered and corrective actions were immediately taken. Continued monitoring of the water quality will be scheduled, since many nearby drinking water supplies in the Little River aquifer are from private homeowner wells.

We were also the beneficiary of partial grant funds from the Fuller Foundation for baseline water quality testing of the Winnicut River, with work beginning in spring, 2011 by the Winnicut River Coalition.

We have evidenced increasing contamination of wetlands in Town and the potential for groundwater contamination continues to become a threat to drinking water. Our intent is to continue to uncover and report any evidence of contamination sources to the DES for corrective enforcement actions. The US EPA and NH DES have targeted a more extensive water testing and enforcement program along the rivers and in the beach area in

2011 to pinpoint the contamination sources, with further plans to implement corrective enforcement actions.

Public Testimony

The Commission contributed to several hearings by the Planning and Zoning Boards on matters impacting wetlands quality. We engaged the services of the Rockingham County Conservation District for expert wetlands and soils scientist testimony on the potential impact of development of lands near or in wetlands and wetlands buffers. Several applications for wetlands variances were denied based in part on the expert testimony.

Conservation Parcels Improvements

We continue to conduct conservation land monitoring programs to ensure the protection of conservation parcels. The use of third party easement-holding trusts and their expertise has proven highly valuable in monitoring some of the larger parcels in conservation.

We also continue to clear and upgrade trails and access walkways on conservation parcels for passive recreational uses by residents. The list and descriptions of these parcels is being prepared through a public awareness program available on the town web page and with summary handouts. New signs will be placed on these parcels to guide visitors as they walk along the trails.

At the Dalton Town Forest significant improvements of the logging road, the property boundaries and the entrance were made in 2010 to add to the attractiveness and accessibility.

The use of the conservation parcel on the former Marston Farm, along Exeter Road was a big success for the first year of the community vegetable gardens, organized by the Agricultural Commission. Additional land with fertile soil is available on this conservation parcel to develop and accommodate continued growth of the community garden program as more residents participate to grow fresh fruits and vegetables there.

Right to Know Act

As a part of our Rules of Procedure, in 2010 we conducted and adopted an annual review of the provisions of RSA 91-A: 3, commonly known as the Right to Know Act, to highlight the legal rules and limitations in conducting Town business. Of significance are the often unknown or misunderstood limitations placed on the use of e-mail, phone discussions or internet social networks for conducting non-procedural business by a Town Commission or Board. In 2010, the Commission obtained a legal opinion from Town Counsel which confirmed our legal right to enter into non-public sessions to negotiate and/or deliberate on land purchases under RSA 91-A: 3 II (d), which provides for “Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community”.

Another key legal opinion was provided by counsel to reaffirm and defend our policy that the Commission will not take land out of conservation.

Planning Board Master Plan Survey Results

The February 2011 Master Plan survey results showed exceptional high favorability for conservation in North Hampton. Approximately 95% of the survey respondents indicated that it is “Very Important” or “Important” to preserve the rural character of the Town by protecting drinkable water from private wells, maintaining healthy wetlands and protecting land for wildlife habitat. Moreover, 89% of the survey responses indicated that preserving wetlands, forests, and open space and protecting aquifers was either “definitely needed” or “might be needed”. Only about 5% of the survey responses (an insignificant average of about 14 respondents) indicated that continued protection of these land and water resources was “not important” or “not needed”.

We view the overwhelmingly favorable survey responses as a clear mandate by the Town for the Conservation Commission to continue its current programs for protecting precious drinking water supplies and for preserving open land, wetland aquifers and buffers, while encouraging passive recreational uses of conservation land for many future generations of North Hampton residents. Accordingly, our Commission will continue to take the position that it is contrary to the public interest to desecrate these valuable water and natural resources by Town boards’ approvals of seemingly unabated development in wetlands and wetlands buffers.

Finally, on behalf of the Conservation Commission and North Hampton Forever, we property owners who have agreed to place their land into conservation and residents of North Hampton for their continued support and confidence in our efforts to acquire, preserve and protect conservation land, to reduce taxes and to preserve the rural and historic character of our Town. We would also like to thank Stan Knowles for his long-standing dedication in serving on the Commission and to the Town office staff for assisting us on our many requests.

Respectfully submitted by the Conservation Commission,

Chris Ganotis, Chairman
Lee Brooks, Vice Chair
Dick Wollmar, Select Board Representative
John Peterson, Treasurer
Shirley Carter
Brian Chevalier
Patty O’Connor
Philip Thayer
Alternates: Peter Simmons and Lisa Wilson

March, 2011