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North Hampton Conservation Commission
Meeting Minutes
12-14-21

Administrative

The meeting was called to order at 7:04 p.m. via Zoom and Channel 22 from the Town Hall. The agenda was posted in Compliance with RSA 91-A requirements.

Roll Call

Members present: Lisa Wilson, (Chair), Kathy Grant, (Co-Chair), Lauri Etela, Audrey Prior, Phil Thayer and Andrew Vorkink.

Approval of November 17, 2021 Draft Minutes: After review of the November 17, 2021 minutes, ***a motion was made by Kathy Grant, duly seconded by Audrey Prior, to accept the minutes as written after the following corrections to the minutes were emailed to the Chair prior to the meeting:*** Frank Arcidiacono asked Jenn Rowden how the RPC was planning to take advantage of new federal funding under recent legislation available to address sea level rise issues. Jenn indicated that Dave Walker, assistant Director at RPC was spearheading the Seacoast Corridor Assessment and Vulnerability Plan and would set up a meeting with all Town interested departments and boards to review the plan and seek input. He would contact the Town within the next week to set up a meeting. The motion carried with Phil Thayer abstaining.

New Business

Natural Resource Inventory: The Commission reviewed the NRI and after some discussion, ***a motion was made by Kathy Grant, duly seconded by Andrew Vorkink, to authorize the Chair to forward the draft to the Planning Board with a list of suggested sections of the NRI to be included in the Master Plan.*** The motion carried.

Old Business

Conservation Easement Subcommittee Update:

Boies Wildlife Preserve (Map 2, Lot 51; 44 acres): Andy Vorkink reported that during the December 13, 2021 Select Board meeting, the Select Board voted to approve the Conservation Commission recommendation that the Town add the Boies Wildlife Preserve to the North Hampton prohibited hunting list.

The Select Board discussed the Boies family desire to restrict hunting, the 2001 Corrective Deed restrictions, and that the Town as the Grantee has the authority to restrict or prohibit hunting on this acreage. The Town will file at the Registry a formal acceptance of the ownership of the property under the wildlife preserve conditions, which was not included in the Corrective Deed filing in 2001. In addition, the Conservation Commission will act as a representative of the Town to manage the wildlife preserve under the Town's authority.

DRAFT

North Hampton Conservation Commission
Meeting Minutes
12-14-21

Dalton Town Forest (Map 9, Lot 13; 8.9 acres): Andy Vorkink reported that the Town office was contacted recently about whether hunting is permitted in the Town Forest off Exeter Road and that the Commission's database of conservation properties has not specified the status of the property on hunting because the deed does not contain a specific prohibition. Andy reviewed the documents and found that the Dalton property was placed in conservation under the North Hampton Forever program in September 2007. The conservation easement was granted by the Dalton family as grantor and RCCD as grantee, with the Commission as executory interest (the backup). Under the conservation easement the grantor reserved the right to post or not post against hunting on the property. On the same day as the conservation easement was filed, the Dalton family sold the parcel to the Commission in a warranty deed. The deed has no language in it about hunting or any other conservation provisions but presumably the parcel was conveyed to the Commission subject to the conservation easement. Research in the Commission's files show that in the purchase and sale agreement of June 2007 between the Dalton family and the Commission, the seller agreed that the parcel would be placed in conservation in accordance with conservation terms set out in Exhibit B to the purchase and sale agreement. In that Exhibit B, it was expressly stated that no hunting would be permitted on the parcel. Although the conservation easement as signed three months later did not contain such clear prohibition, namely it said the grantor could post for or against hunting, from the Commission's perspective, the Commission agreed in the purchase and sale agreement that no hunting would be allowed on the property. Andy contacted the RCCD, which holds the conservation easement and in view of the original grantor's intent to restrict hunting, the RCCD has no objection to the Commission deciding to restrict hunting on the parcel. ***A motion was made by Andrew Vorkink, duly seconded by Phil Thayer, that the Commission vote to restrict hunting on the Dalton Property, now named the Town Forest, consistent with intent of the original grantor to restrict hunting.*** The motion carried, with Audrey Prior abstaining.

Trail Maintenance Update: Phil Thayer reported that a Boy Scout expressed an interest in doing work on the Dustin property. Andrew Vorkink reported areas in need of attention on the Corbett and Robie trails. Phil Thayer offered to investigate and complete the work.

Oliver Brook Trail Update: Lisa Wilson reported that the message board for the trail has been shipped. To date the Town has been reimbursed \$24, 523.21 from the NH BOT Recreational Trail grant fund program and that December 31, 2021 is the deadline to spend any remaining funds.

Philbrick Pond Saltmarsh Drainage Update: Frank attended the Philbrick project pre-construction meeting earlier today. Frank reported via email that a few changes in

DRAFT
North Hampton Conservation Commission
Meeting Minutes
12-14-21

design are being considered to allow for fabrication of the concrete slab. The schedule remains unchanged and that work is to begin the first or second week in January.

Other Business

Septic System Inventory: Lauri Etela suggested adding more distinct shades on one of the maps to better identify parcels and the age of septic systems. He found some discrepancies regarding the age of structures. Lisa Wilson will forward suggestions to Robert Pruyne, Rockingham Planning Commission.

Goals for 2022 will include working with RPC to complete and refer to the *Septic System Inventory and Database* to serve as guide for further water quality sampling within the Winnicut and Little River Watersheds to help safeguard the Town's water resources.

There being no other business to discuss, ***a motion was made by Phil Thayer, duly seconded by Lauri Etela, to adjourn the meeting.*** The motion carried. The meeting adjourned at 8:10 p.m.

Respectfully submitted,
Beverly Moore
Recording Secretary

"These minutes were prepared within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by the majority vote by the Commission."