

**DRAFT**  
North Hampton Conservation Commission  
Meeting Minutes  
February 14, 2017

**Administrative**

The meeting was called to order at 7:02 PM. The agenda was posted in compliance with RSA 91A requirements.

**Roll Call**

Attendance included Chris Ganotis (Chair), Lisa Wilson (Vice Chair), Kathy Grant, and Andrew Vorkink. Also attending the meeting was member of the public, Mike Castagna.

**Approval of January 10, 2017 Draft Minutes**

After some discussion, *a motion was made by Andrew Vorkink, duly seconded by Kathy Grant, to accept the January minutes as presented.* The motion carried with a unanimous vote.

**New Business**

**Discussion on Deliberative Session Conservation Warrant Articles**

There are three warrant articles by citizen's petitions concerning conservation, including the creation of an oversight board seeking the authority to overturn decisions made by the Conservation Commission regarding any conservation easements or parcels; to have Town- elected Conservation Commission members; and to reverse the decision of the Commission's that the barn on the parcel was not in violation of the easement. Each of the petition articles were reviewed by Town Counsel and his opinion letter indicated that all three petition articles are illegal and not enforceable. It was also mentioned that pursuant to recent NH Supreme Court decision, (Tallman vs. Outhouse) neighbors of Conservation land have no legal status in intervening in easement Grantee decisions regarding whether the easement has been violated. After further discussion, the Chair, while noting it was up to the voters, questioned why anyone would vote in favor of any illegal articles.

**Proposal for Conservation Easement on Hobbs Parcel,  
Map 13, Lot 68 and Map 13, Lot 69.**

Mr. Mike Castagna presented a proposal on how a conservation parcel might be part of the proposed town safety project. The conservation parcel is being proposed to be about 60 to 80 acres and would further be proposed to NH DES as mitigation land for the filling of about 3 acres of wetlands for the proposed Town Safety Complex project site. He has met with DES to discuss mitigation requirements as they might relate to the conservation land.

He further mentioned that between four and a half and five acres of land would be needed for the Town Complex. Mr. Castagna added that the land owner, Mr. Glenn Martin, would like to retain ownership of the conservation parcel and to have a Conservation easement agreement for the land.

There was further discussion to suggest land for a solar collection facility, a cell tower and a model airplane facility should be carved out of the Conservation land and reserved as private property. The Chair suggested to Mr. Castagna that he should pursue a third party Land Trust to hold the conservation easement for stewardship of the conservation land to monitor the land and enforce the easement terms. In further discussion, it was mentioned that the owner would be the Grantor of the easement and the Trust would be the easement holder. It was further discussed that engaging a Third Party Trust for a conservation easement agreement would likely require a stewardship fee. It was unclear as to who would fund the stewardship fee, but that the DES could not require the Trust to waive the fee.

Mr. Castagna mentioned that the land would not necessarily need to be in conservation in order to be allowed for mitigation by DES and that the lot boundaries could be adjusted. All these issues would need to be negotiated.

### **Consideration of Placing 20 Chapel Road Parcel in Conservation**

Still pending at this time as there was no indication from Little Boars Head.

### **State Wetlands Buffer Proposed Legislation**

A bill is being discussed in committee for a standard state 100-foot wetland buffer for the for all town municipalities. The HB486 bill needs clearer language to allow for grandfathering of current Towns' wetlands buffer ordinances and for how the new requirements in the bill it would be enforced is being considered by the Committee.

## **Old Business**

### **Luff Conservation Parcels Stewardship Management Plan Draft Update and SELT Review**

Lisa Wilson has spoken with Kevin Ryan at FB Environmental regarding the proposal for easement requirements. An adjustment was made, making the fee of the contract \$3,580.00. The Chair will contact Forrest Bell, FB Principal to review the proposal to confirm the needed easement requirements, mapping and if a wild life action plan should be included, which was suggested by Deborah Goard at SELT. After some discussion, ***a motion was made by Lisa Wilson, duly seconded by Andrew Vorkink, that the Commission authorize the Chair to approve the contract, taking up to \$3,580 from the Capital Reserve Fund.*** The motion carried with a unanimous vote.

### **Granit Request for Conservation Parcel Descriptions**

The Chair received correspondence from Abigail Lyon who is doing work for the Piscataqua Regional Estuaries Partnership (PREP) to provide GRANIT information for UNH for the listing of conservation projects in town. This would include a detailed summary of each parcel, a map of each parcel and a track data sheet. After some discussion, a motion was made by Lisa Wilson, duly seconded by Andrew Vorkink, ***to present the information we have and suggest a volunteer effort for this request as a project to UNH students.*** The motion carried with a unanimous vote.

### **Correspondence from Mr. Perkins for Barn**

The Chair received an email from Mr. Perkins to advise the Commission of continuing agricultural activities, as approved by the Commission in the Master Plan, on his conservation parcel.. After some discussion, ***a motion was made by Andrew Vorkink, duly seconded by Lisa Wilson, to approve the extension of the master plan approved in October 2015 for the items contained in his email dated February 6, 2017 which are all for agricultural purposes which included a water line from the artesian well, an animal septic system, finishing grade around the foundation, and adding loam, soil, gravel and sand around.*** The motion carried with a unanimous vote.

### **Wetlands Delineation Workshop**

A workshop will be held on March 9, 2017 at the Hugh Greg Center in Greenland, NH at 3:30 PM presented by Marc Jacobs, Certified Soil Scientist.

There being no further business to discuss, ***a motion was made by Andrew Vorkink, duly seconded by Kathy Grant, to adjourn the meeting.*** The meeting was adjourned at 8:38 PM.

Respectfully submitted,  
Beverly Moore  
Recording Secretary

***“These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 2,11. They will not be finalized until approved by the majority vote by the Conservation Commission.”***