

HOLLIS CONSERVATION COMMISSION

Minutes of Public Meeting

May 5, 2021

Approved May 19, 2021

Regular Members: Tom Dufresne, Thomas Davies, Mark Post, Paul Edmunds, Jonathan Bruneau, Joe Connelly;
Alternate Members: Laura Bianco, Karen Bridgeo.
Staff: Connie Cain
Guests: Joe Garruba, Russ Kellner

The meeting was called to order at 7:05 pm.

BOARD & COMMITTEE UPDATES

Bill Moseley, Planning Board Chair, will be attending the next HCC meeting for the Planning Board. No Selectboard update or Treasurer's Report available at meeting time.

ANNUAL ROADSIDE CLEANUP

The Cleanup was held on April 24, 2021. T. Davies stated that the main purpose of holding the event this year was to keep it going, and to that effect, it was a huge success. He would like to see the Town institute a "blue bag" pickup throughout the year, as is done in other communities. Deb Lussier and the Gate City Striders were unable to participate on the day, and coordinated their own efforts on May 1st. The HCC will attempt to coordinate with them for the 2022 event.

TOWN MEETING

T. Dufresne reminded members that a lot of discussion on these two articles had taken place at previous meetings on whether or not the HCC should take a stance on these Articles. These two petition Warrant Articles had been tabled from the 2020 Town Meeting, where they had been given as Articles 16 & 19.

Warrant Article 16 Discussion

T. Davies firmly believed that the HCC should take a vote to support Article 16, primarily as the protectors of the Conservation property, including ground and surface water protection, protection of wildlife, and the public using those lands. He felt that the HCC had a moral and real responsibility to protect the land that the Town had voted to save; and that target shooting caused destruction and noise pollution, and poises the real probability that someone or something will be hurt. No firearm discharges should be allowed on Conservation land, other than in the pursuit of legal hunting. He felt that the people calling for target shooting to be allowed on Town property were requesting it for their own convenience, and putting their wants ahead of the safety of other people using the property for walking and hiking, etc.

P. Edmunds agreed, he felt that shooting on Conservation or Forest land should not be allowed except as legally permitted, and the discharging of firearms on Conservation land was inappropriate.

J. Connelly felt that it was not the HCC's right to decide, it was up to the Townspeople to make the decision.

T. Davies added that it would not take long for the public at large to find out that target shooting was allowed in Hollis, and people would begin coming from other communities. He cited the Nor'easters snowmobile club as an example; what started as a small local club is now over 700 members from all New England states and beyond.

K. Bridgeo strongly felt that the HCC should support Article 16 and not support Article 17.

M. Post was against taking a position on the Article. He had concerns about the scope of the language, and felt that if the Town chose to create a Recreation shooting area in the future, the passage of the Article would mean that such an area would be illegal. K. Bridgeo asked if the Town would be able to overturn the vote in such a case; it is unknown at this time. M. Post stated that the Agricultural Commission decided not to take a stance as the Article does not affect them.

L. Bianco was in favor of Article 16 to ban firearm discharges. She felt any vote to support or not should be based on the HCC representing HCC interests, and agreed with the points brought up by T. Davies.

J. Bruneau felt that some sort of compromise should be attempted before a Warrant Article was proposed. T. Dufresne informed members that the Town had facilitated and participated meetings between the parties for and against the use of firearms on Town property, to try to reach some sort of agreement on the matter; T. Dufresne had been one of the Town's representatives. The parties involved had reached a possible agreement, but the supporters of Article 17

disagreed a few days later, citing that only the State can regulate gun laws and uses. T. Dufresne agreed gun regulation is a State function, however, this is a case of property owner rights, not gun regulations.

J. Bruneau felt that the Townspeople will decide, and this could further evolve at Town Meeting.

T. Dufresne agreed with most of the statements made by HCC members, and felt that T. Davies points are correct, however, he felt that the voters should make the decision. Should the HCC vote to support Article 16, it may unduly influence voter's opinion. He did not think the HCC should take a stance regardless of his personal opinions.

With discussion over, the following motion was made:

A motion to vote on whether or not the HCC should vote to support 2021 Warrant Article 16 was made by T. Davies; seconded by J. Connelly. Members were polled, 5 members voted to support voting on the Article, 0 members voted against, and 3 members abstained from the vote. The motion to vote carried by a vote of 5-0-3.

As the motion to vote carried, the following motion was made:

A motion that the HCC support the passage of 2021 Warrant Article 16, as given in the 2021 Town Warrant, was made by T. Davies; seconded by P. Edmunds. Members were polled, 5 members voted to support the passage of Article 16 as referenced, no members voted against supporting, and 3 members abstained from the vote. The motion to vote carried by a vote of 5-0-3, and the HCC voted to support the passage of Article 16.

Warrant Article 17

K. Bridgeo read Article 17 verbatim from the 2021 Town Warrant.

M. Post stated that the Agriculture Commission are unanimously opposed to this article, and has written a letter to the Selectboard with its concerns, due to the tremendous impact on agriculture. The passage of this article language would tie the hands of the Town in future financial negotiations for agricultural grants, donations, land gifts and leasing arrangements. He cited the Woodmont West agricultural lease area, the current Conservation Easement on the property does not allow any use but agricultural. The warrant article language would break the public trust in the Conservation Easement.

C. Cain noted that the language in the Warrant Article appears to state that all Current Use land is open to the public, which is not accurate. Only those properties with the Recreational Adjustment must allow the six activities listed, all others do not have to allow public access. Public access to Current Use land is not a requirement, and the owner must request the Recreational Adjustment for it to be applied.

T. Dufresne polled the table for any further comments. Finding none, T. Dufresne made the following motion:

To vote to indicate that the HCC does not support the passage of 2021 Warrant Article 17, as given in the 2021 Town Warrant; a "yes" vote will indicate that the member does not support passage of the Article, seconded by J. Connelly. Members were polled, and all members voted "yes," none voted "no," or to abstain. The motion not to support the passage of Article 17 was carried by a vote of 8-0-0.

(Russ Kellner left the meeting at 7:55 pm.)

OTHER BUSINESS

Joseph Garruba

Mr. Garruba wished to discuss the HCC oversight of Declaration of Covenants and other documents associated with the Hollis Open Space Planned Development, or HOSPD, subdivisions in Town. He recently became aware that such a document had language which allowed for the extension of a proposed public road within the subdivision to allow for future development. He felt that the HCC should be allowed to examine these documents prior to HOSPD approval to point out any potential issues on what is given to be protected open space land. HCC members felt that this is a Planning Board function, and not under the purview of the HCC, but will discuss with Planning Board Chair and Staff.

(J. Garruba left the meeting at 8:07 pm.)

T. Dufresne requested that discussion on the draft Wetland Buffer document be tabled to the May 19, 2021 meeting. All members agreed.

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NON-PUBLIC SESSION

T. Dufresne motioned to enter into Non-Public session to discuss potential land acquisition under RSA 91-A:3, II (d); seconded by P. Edmunds. T. Dufresne polled the members, all those present voted to enter into Non-Public session by a vote of 8-0-0. The HCC entered into Non-Public Session at 8:14 pm.

RETURN TO PUBLIC SESSION

T. Dufresne motioned to conclude the Non-Public session and to keep the minutes sealed until voted by the HCC to release, seconded by J. Connelly. T. Dufresne polled the members, all members voted to conclude the Non-Public session and keep the minutes sealed by a vote of 8-0-0. The HCC concluded Non-Public Session at 9:06 pm.

MINUTES

T. Dufresne made the motion to accept the public minutes of the April 21, 2021 meeting as written; seconded by J. Bruneau. All members voted in favor, none opposed or abstained, and the minutes were approved by a vote of 8-0-0.

T. Dufresne made the motion to accept the non-public minutes of the April 7, 2021 meeting, and to keep them sealed until voted to release; seconded by K. Bridgeo. All members voted in favor, none opposed or abstained, and the minutes were approved by a vote of 8-0-0.

ADJOURNMENT

J. Bruneau motioned to adjourn the meeting, seconded by T. Dufresne. All members in favor, none opposed, and the motion carried by a vote of 8-0-0. The meeting adjourned at 9:10 pm.

Respectfully submitted,
Connie Cain
Staff