

HOLLIS CONSERVATION COMMISSION

Minutes of Meeting

November 15, 2017

Approved December 6, 2017

Members Present: Tom Dufresne, Thomas Davies, LeeAnn Wolff, Cathy Hoffman, Jonathan Bruneau, Mark Post.
Alternate Members: Laura Bianco, Cheryl Quaine, Joe Connelly.
Board of Selectmen: Peter Band (via telephone).
Staff: Connie Cain.
Guest: Drew Kellner, Brookline Conservation Commission, Wild & Scenic Rivers Study Committee Member; Paul Edmunds. Potential HCC Alternate Member.

Meeting was called to order at 7:03 pm.

WILD & SCENIC RIVERS STUDY COMMITTEE

D. Kellner was in attendance at this evening's meeting to discuss the Wild & Scenic Rivers Study Committee's (WSRSC) request for a Warrant Article to be presented at the March 2018 Town Meeting. T. Dufresne asked why a Warrant Article and Town approval? D. Kellner stated that it is part of the process. He believes that the rationale behind this requirement is that both Towns are asking our delegation to go to Congress to advocate for this designation. Before the legislation brings their support to the Congress, they want to be assured it is the will of the people. Town meeting is the avenue to do that; an ordinance change or ballot vote will not be sufficient. He believes that this will require a public discussion at Town Meeting.

D. Kellner stated that both the WSRSC and the individual Towns have been reviewing their portions of the study; the majority of the historical and existing conditions deal with the Massachusetts communities. One of the items for improvement by Hollis would be to reinstitute the Stormwater Committee; C. Hoffman stated that the Planning Board and Town Administration have recently reactivated the committee. D. Kellner stated that the recommendations for improvement would not add new regulations, just reinstitute any necessary. If not fully reinstituted, a waiver mechanism may be available, but D. Kellner not sure on the process.

The Brookline Conservation Commission (BCC) recently recommended to its Board of Selectmen (BOS) that the draft management plan study be placed as a Warrant Article at their 2018 Town Meeting. The Warrant Article must be approved by the Townspeople, in a public forum such as Town Meeting, per requirements. The Warrant Article and vote at Town Meeting better honors the WSRSC requirement for Town approval. At this time, the HCC should be bringing a recommendation to the Hollis BOS, who will need to vote and approve the draft plan, then the BOS should decide whether or not to bring forward as a Warrant Article.

Based on an email received from Kim Galipeau, Town Administrator, the draft warrant article must be submitted by the first review of the Budget Committee Meeting on December 11, 2017. L. Wolff has contacted members of the Heritage Commission and the Hollis Historical Society for any input they can share on the history of the Nissitissit River and the surrounding area. She would also like to use the Pipeline Impact Study Committee's research on the area as well, if the BOS approves releasing the information.

D. Kellner is working with the Brookline Town Administrator to draft the Warrant Article language for inclusion on the Brookline 2018 Town Warrant. Once the draft is completed, he will send to T. Dufresne for use in Hollis. As the Town Attorney is the same for both municipalities, D. Kellner will make sure he's aware that the same will be used by Hollis, but he does not anticipate any issues with using the same language for both Towns. T. Dufresne and HCC members thanked D. Kellner for his attendance at this evening's meeting, and for his assistance with this project.

(D. Kellner left the meeting at 7:16 pm.)

NON-PUBLIC SESSION

T. Dufresne motioned to enter into non-public session for the consideration of matters, which, if discussed in public, would likely affect adversely the reputation of any person, per RSA 91-A:3, II (c); seconded by L. Wolff. All members in favor, none opposed, and the motion carried 8-0-0. The HCC entered Non-Public session at 7:20 pm.

57 **RETURN TO PUBLIC SESSION**

58 T. Dufresne motioned to return to public session and to keep the minutes sealed under RSA 91-A:3, III; seconded by
59 T. Davies. All members in favor, none opposed. The motion to return to public session carried 8-0-0, and the minutes
60 were sealed. The HCC returned to public session at 7:25 pm.

61
62 **BOARD & COMMITTEE UPDATES**

63
64 *Planning Board – Cathy Hoffman*

65 At the next Planning Board meeting, scheduled for November 21, 2017, the following items will be discussed:

- 66 1.) Proposed Plan for 52 Elder Housing units, on Cobbett Lane, MBLU 045-050 et al, to be reviewed. J. Bruneau asked
67 about any above ground water storage; C. Hoffman believes there will be some near the proposed Community
68 Center. T. Davies asked about the septic systems; C. Hoffman stated that there are septic systems made specifically
69 for these circumstances. Recent approved changes to the Zoning Ordinance have allowed a greater density than
70 previous.
71 2.) A Change in Use proposal for a new screen printing business at 265B Proctor Hill Rd, MBLU 011-008 will be heard.
72 T. Davies noted that Beaver Brook Association, an abutter, has some concerns about the use of dyes, waste water,
73 etc. C. Hoffman recommended that they attend the meeting.
74 3.) Snell Subdivision, 19 Flagg Rd, MBLU 007-045. The subdivision has received a variance from the wetlands buffer
75 encroachment from the Zoning Board of Adjustment (ZBA). The Planning Board has asked for the HCC's input on
76 the revised plan. The bridge and driveway are still in the buffer area, the building box has been relocated; there is
77 19,600 square feet of buffer disturbance. T. Davies asked if allowing the buffer disturbance would set precedence;
78 yes. He felt that allowing wetland buffer disturbance to occur devalues the wetland protection that is supposed to
79 be afforded by the buffer.

80
81 (P. Edmunds joined the meeting at 7:40 pm. Introduction to members.)

82
83 *T. Davies motioned that the HCC submit a recommendation to the Planning Board that wetland buffers on this parcel*
84 *not be encroached; seconded by J. Bruneau.*

85
86 Discussion on the motion took place. The buffer set back is 100 feet; members are not aware of the ZBA's reason
87 for the variance approval. T. Dufresne stated that one of primary HCC missions is to protect water; T. Davies felt
88 that once this was allowed, it would be difficult to enforce or further protect buffer. L. Wolff stated that the area
89 is not contiguous wetland nor appear to be a major source of transmissivity or a recharge area. C. Hoffman felt if
90 the case, could be part of the ZBA decision. J. Bruneau noted that it could be a low spot; both P. Edmunds and C.
91 Hoffman felt could be a seasonal or vernal pool. T. Dufresne stated that the plans are confusing and difficult to
92 review. J. Bruneau will draft a letter of recommendation to the Planning Board in time for their meeting.

93
94 *Based on the discussion, members voted to approve the motion, as previously stated. All members in favor of the*
95 *motion, none opposed. The motion carried by a vote of 7-0-1; C. Hoffman abstaining.*

- 96
97 4.) A Change in Use proposal for 19G Clinton Drive, MBLU 004-074. "Operation Delta Dog" has applied for a site
98 amendment to allow a dog training operation, where rescue dogs are trained as support animals for Veterans with
99 disabilities.

100
101 *Treasurer's Report – Thomas Davies*

102 As of November 7, 2017, the available balance in the HCC account was \$446,353.69. Accounting for \$10,000 reserve
103 for stewardship, \$436,353.69 is available as cash.

104
105 **NEW & CONTINUING BUSINESS**

106
107 *NH Association of Conservation Commissions Annual Conference*

108 T. Dufresne, L. Bianco, and L. Wolff attended. T. Dufresne stated that the workshops were much improved than in past
109 years, and recommended that members plan on attending next year. L. Bianco attended a grant writing workshop and
110 found it informative. Some discussion of Grants and Applications. The "Nuts and Bolts of Timber Management" was
111 also a good workshop.

112
113 L. Wolff stated that she had focused on easement workshops, including information on how to create, maintain, and
114 support those properties which may have easements on them. As one of her major takeaways from the workshops,
115 and since the Town has spent a lot of time on land acquisitions, L. Wolff suggested that a major goal for 2018 be that

the HCC review existing management plans and create new plans, as needed, for all HCC managed properties to better maintain these properties on behalf of the Town. T. Davies felt that there were still properties that should be investigated for their Conservation qualities, and that the HCC should not stop acquiring these properties if possible. L. Wolff felt that with the time and monies invested in the acquisition of the property, that a dedicated process can be put in place so that the HCC can begin to formally manage the properties for the public good. J. Bruneau felt that the need to document these properties at the time of purchase is necessary. T. Dufresne stated that the HCC is not as good at management of the properties as they are at acquiring; members agreed. Chris Kane also can create management plans. Jim Oehler, who has created the management plans in the past, can continue to do some but does not have the time to create one for all properties. While it is unknown at this time what the cost will be, the BOS will also need to be consulted on the expenditure. J. Bruneau felt that an inventory should be taken, and those without existing management plans could then be contracted out. T. Dufresne felt best to bring back for continued discussions in January 2018.

T. Dufresne stated that he had attended a workshop where changes to the Aquatic Resource Mitigation (ARM) Funds were discussed. The rules have recently changed; with NHDES receiving the funds in the past, the rules have changed to allow for Towns to receive the funds first under specific situations. If none of situations is applicable, the funds would then go to the State. Under the ARM program, wetland areas which are filled in due to unavoidable impacts caused by construction are subject to NHDES mitigation to compensate for the loss of these areas. In these cases, the NHDES receives funds used to purchase properties to substitute for the one impacted. However, the ARM funds may not remain in the local area of impact. T. Dufresne stated that these funds could now be a potential source of funds for acquiring additional properties.

(STAFF NOTE: ARM Fact Sheet(s) can be found at:

<https://www.des.nh.gov/organization/commissioner/pip/factsheets/wet/documents/wb-17.pdf>

ARM calculation rules:

https://www.des.nh.gov/organization/divisions/water/wetlands/wmp/faq_arm_funds_calc.htm

Online booklet on the ARM program:

<https://www.des.nh.gov/organization/divisions/water/wetlands/wmp/documents/arm-fund-web.pdf>

T. Dufresne also attended a workshop presented by Jim Oehler and NH Fish & Game on the effects of trail systems over wildlife habitat. A study detailed the effect of trail systems on certain wildlife, and how removal of the trail system had a positive effect on the area wildlife.

Properties to Conserve-Preserve List Update

Members also felt that the "50 Properties to Conserve-Preserve" list should be revised and updated. Many newer members have not seen nor were aware of the list. L. Wolff felt the list should be created as a document, and reviewed for follow-up on a regular basis. P. Edmunds will contact Peter Baker for this list.

J. Connelly suggested creating an "Action Item Tracker" spreadsheet for use when a property donation/purchase is under consideration. Members will be able to check the spreadsheet to be updated on the process, know what still needs to be completed and who is responsible for the task. This would also allow newer members to get a feel for the process that the HCC goes through in acquiring properties.

T. Dufresne felt that the HCC should be in charge of finding appropriate properties, researching, and finding methods of acquiring, including grants and funding resources. Intellectually, the older members are aware of the process, but every Town is different. The process should be organized and outlined for newer members. J. Bruneau offered to create an online presentation, and will do so.

T. Dufresne also noted that Peter Baker was one of the two NRPC Representatives for the Town; was a replacement found? Unknown at this time.

J. Bruneau asked if P. Edmunds could explain the process that the Land Protection Study Committee had used and how the HCC and members of the former LPSC could help each other working towards their mutual goals. P. Edmunds stated that he had been directly involved with the acquisition of two of the three properties proposed and approved at the 2016 Town Meeting. He was amazed at the enthusiasm displayed by the Townspeople towards acquiring Conservation properties. There are still several properties which the LPSC had been working towards acquiring when the LPSC was disbanded. The owners of these properties have been contacted. There is still at least one property considered vital to protect which has recently become a major concern. He noted that all of these properties are different and the present owners may have differing reasons and opinions on why their property should be considered for Conservation protection. T. Davies noted that the LPSC had worked diligently on improving their relationships

175 with property owners, and have cultivated these relationships over the years. Both P. Edmunds and T. Dufresne are
176 both well thought of in Town as men of their word.

177
178 (M. Post joined the meeting at 7:57 pm.)

179
180 *Recreation Commission Update – Mark Post*

181 M. Post had been attending the Recreation Commission (Rec Com) meeting. He noted that there was not a quorum
182 present, so no votes could take place. The Rec Com has a preliminary proposal for 2 practice fields and parking for
183 approximately 150 cars on the proposed Siergiewicz site. The proposal also notes that there is a flood plain in the rear
184 (eastern) part of the property, and potentially pushing dirt into some of the low spots. The estimated baseline cost is
185 \$315,000 for the field construction. Meridian Land Services felt this was an appropriate location for this type of use,
186 with the Rec Com to be recommending to the BOS to move forward with the acquisition at the December 4th BOS
187 meeting. The Hollis-Brookline Cooperative School District will also be presenting a proposal for an additional playing
188 field at the Hollis-Brookline High School that same evening.

189
190 With the purchase of this property, it will allow the Town to build the practice fields so desperately needed while
191 leaving the Stefanowicz Farm undisturbed. T. Davies suggested obtaining a right of first refusal from the Siergiewicz
192 Family for the property. T. Dufresne has also been in touch with Larry Goodhue of Pennichuck Water Works in regards
193 to potential funding of the Siergiewicz property, as Witches Brook and Pennichuck Pond are either right on or near
194 the property's eastern boundary. He has also spoken to Ron Moran of the Merrimack Village District on the same
195 subject, but feels it is doubtful due to the recent PFOA issues.

196
197 *UNH Cooperative Extension – Community Forest Survey – LeeAnn Wolff*

198 David Connor and L. Wolff have sent a list of the forested Town owned lands to the UNH Coop as requested. Town
199 Forester Craig Birch has been asked for his input on the list as well. A representative from the UNH Coop will be
200 reviewing the information with L. Wolff, C. Hoffman and C. Cain prior to the December 6, 2017 meeting at 6:30 pm.

201
202 *Non-Public Minutes for Potential Release – Tom Dufresne*

203 As required by RSA 91-A:3, III, T. Dufresne has recommended that certain non-public minutes be released to the
204 public. As part of this, the non-public minutes in question will be sent to members for review and vote to be released
205 to the public at the December 6, 2017 meeting.

206
207 *2018 NH First Day Hike – Silver Lake State Park – Tom Dufresne*

208 T. Dufresne has received an email from the NH Division of Parks & Recreation (NHDPR) in regards to the 2018 First
209 Day Hike at Silver Lake State Park on January 1, 2018. The NHDPR is looking for volunteers in any capacity for the
210 event. L. Wolff stated that she has volunteered for this event.

211
212 **MINUTES**

213
214 T. Dufresne motioned to accept the minutes of the November 1, 2017 meeting, as written; seconded by L. Wolff. All
215 members in favor, none opposed, and the minutes were approved 9-0-0.

216
217 **ADJOURNMENT**

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219 T. Davies motioned to adjourn the meeting, seconded by T. Dufresne. All members in favor, none opposed, and the
220 motion carried 9-0-0. The meeting was adjourned at 8:50 pm.

221
222 Respectfully submitted,

223
224 Connie Cain

225 Staff