

**TOWN OF WOLFEBORO
CONSERVATION COMMISSION
March 8, 2021
APPROVED MINUTES**

Chairman Clark opened the virtual meeting at 6:37 pm.

Lenore Clark read the following:

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order #2020-04, this Board is authorized to meet electronically. In accordance with RSA 91-A: 2, III, the Committee has 7 members joining the meeting remotely, which a public body has the authorization to allow. At this time I would like to take a roll-call vote of ALL members present. For those participating virtually, please indicate your location and if you have any other individuals present in the room with you.

Members Present: Roll call: Lenore Clark – yes (acknowledged there is no one present with her), Chair, Dan Coons – yes (acknowledged there is no one present with him), Vice-Chair, Art Slocum – yes (acknowledged there is no one present with him), Jeff Marchand – yes (acknowledged there is no one present with him), Brian Gifford – yes (acknowledged there is no one present with him), Members, Nancy Byrd – yes (acknowledged there is no one present with her), Sarah Silk, (acknowledged there is no one present with her), Alternates.

Votes taken during this meeting will be via roll call vote for ALL members.

In accordance with Emergency Order #12, for members of the public, this is to confirm that we are:

1. Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means through GoToMeeting. All members of the public and Board have the ability to communicate contemporaneously during this meeting through the GoToMeeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #+1 (646) 749-3122 followed by the audio access code 870-687-373, or by video following the directions on the Town of Wolfeboro Website posted on the home page under the Virtual Town Meeting Login Information page.
2. Providing public notice of the necessary information for accessing the meeting; we previously gave notice to the public of how to access the meeting in-person or using GoToMeeting and in, and instructions are provided on the Town of Wolfeboro website at wolfeboronh.us on the Virtual Town Meeting Login Information page.
3. Providing a mechanism for the public to alert the public body during the meeting if there are problems with access; if anybody has a problem accessing the meeting via phone or computer, please immediately call 603-486-2692 OR email Hendrickson.leeann@gmail.com. In the event that the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Members Absent: Ed Roundy, Warren Muir, Member, Dave Senecal, BOS Representative.

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Chairman Clark appointed Nancy Byrd, Alternate, to sit in for Ed Roundy, Member, and appointed Sarah Silk, Alternate, to sit in for Warren Muir, Member.

I. **Approval of Minutes**
January 11, 2021

It was moved by Sarah Silk and seconded by Dan Coons to approve the January 11, 2021 Conservation Commission minutes as submitted. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – abstain, Dan Coons – yes, Sarah Silk – yes, Art Slocum - yes. The motion passed (6-0-1).

February 8, 2021

Correction: Page 4, Wentworth Watershed Association, last sentence to read as follow; “He state he was informed by the Wentworth Watershed Association that they are working with an Eagle Scout proposal for an outdoor classroom, amphitheater style seating for 20-25 people in a semi-circle formation.”

It was moved by Art Slocum and seconded by Dan Coons to approve the February 8, 2021 Conservation Commission minutes as amended. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – abstained, Jeff Marchand – yes, Dan Coons – yes, Sarah Silk – abstain, Art Slocum - abstained. The motion passed (6-0-1).

II. **Discussion Items**

a. **Bella Terra Trail Design Contract & Project Update (Willey Brook Trail Construction)**

Lenore Clark stated Andrew Lester would be attending the April meeting to discuss the contract. She stated Dan Coons is working on delineating the wetlands on the property. She asked Audrey Cline (logged into the virtual meeting and former Town of Wolfeboro Code Enforcement Officer) if the proposed bog bridges would require a building permit.

Audrey Cline recommended speaking with the Code Enforcement Officer noting such could be considered a structure.

Lenore Clark stated Andrew Lester has tried several times to contact Steve Paquin, Code Enforcement Officer.

Jeff Marchand volunteered to forward the information to Mr. Paquin. He confirmed there are no wetland crossings over the brook.

Warren Muir joined the meeting at 6:48 pm.

Andrew Lester stated he has left four messages with Mr. Paquin to walk the property. He stated the dimensions of the bog bridges will not be known until during the construction process. He stated he is concerned that once it goes through the permitting process that footings will be required.

Jeff Marchand stated he has no issues with the information submitted for the bog bridges and that he wanted to know sooner rather than later what would be required by the Code Enforcement Officer.

Andrew Lester stated he doesn't understand how the project got to the point of requiring a building permit however, believes it may have resulted from the discussion of the bridge crossing of Willey Brook.

Sarah Silk asked whether the project requires permission from the BOS since the property is Town owned.

Lenore Clark recommended the Code Enforcement Officer go to the site and determine from the work that has already been done with the previous trail construction if a building permit is required.

b. Posting of Town Properties

Lee Ann Hendrickson explained that previously the Commission had implemented a program for posting properties. She stated she would compile the information and provide such to the Commission.

Dan Coons recommended a Lands Management Subcommittee be formed to review properties relative to stewardship and volunteered to serve on such.

Jeff Marchand and Brian Gifford also volunteered to serve on the committee.

Jeff Marchand stated he would further research the “no hunting” sign issue.

c. Sewall Woods/Munro Property – Wedding Venue Request

Lenore Clark stated the request to utilize the Munro property as a wedding venue was again submitted to Don Berry, Lakes Region Conservation Trust (LRCT). She stated she has asked the LRCT to include her on all communication because the Commission is the easement holder; noting she has not received any correspondence on the issue.

The Commission discussed the request and the Town’s policy relative to events held on Town owned property.

Sarah Silk noted the family is intimately connected to the property and the wedding is not open to the public.

Jeff Marchand questioned the precedent being set if the Commission approves the request. He stated he has no objection to the wedding however, #3 of the letter states the Commission has to give permission for the wedding to occur. He asked if the Commission has been requested such.

Lenore Clark replied no.

Dan Coons stated that the LRCT is the landowner and the Commission is the easement holder; noting the only job of the Commission is to ensure that LRCT complies with the conservation easement. He stated he believes the conservation easement allows access to the property.

Jeff Marchand stated he withdraws his objection if the Commission does not have to give any type of permission.

Sarah Silk recommended the Commission suggest that the site be restored to the condition prior to the event.

d. Conservation Commission Member Appointments

Lenore Clark stated she, Art Slocum and Jeff Marchand’s membership was up for reappointment and noted that Art Slocum will not be requesting reappointment. She stated Nancy Byrd has agreed to become a full member and Bob Gilbert, former member of the Conservation Commission, has requested appointment as an alternate. She thanked Art Slocum for his service on the Commission.

e. Society for the Protection of NH Forests – Annual Membership

It was moved by Dan Coons and seconded by Brian Gifford to authorize the payment of \$55 to the Society for the Protection of NH Forests for the Conservation Commission's membership. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – yes, Warren – yes, Art Slocum - yes. The motion passed (7-0).

f. Heath Property – Utility Poles

Lenore Clark stated in 2019 the Town engaged in a construction process to replace failing culverts on Pleasant Valley Road which impacted the utility poles. She stated the poles were temporarily relocated; noting the Electric and Public Works Departments agreed to move the poles back to the original location following the completion of the project. She stated the project has been completed however, the poles have not been moved. She stated Barry Muccio has asked to leave the utility poles in their current location on Pleasant Valley Road and noted the property owner, Wentworth Watershed Association (WWA), doesn't want the poles to stay in the existing location. She stated WWA has received an opinion from Don Kretchmer (a limnologist) and that she and Julie Brown are working on a memo to the Town to return the poles to their original location as previously agreed.

The Commission discussed the issue and agreed that the Town Departments should follow through with what was originally agreed upon.

Lenore Clark stated she would contact the Municipal Electric Department and Department of Public Works and inform them the Commission is requesting they honor the original agreement regarding pole location/placement.

g. Mitigation Priorities List

Dan Coons stated the Commission is obligated to maintain a list of potential properties for mitigation, both acquisition and restoration. He recommended the Commission establish said list.

Nancy Byrd volunteered to assist with such.

The Commission discussed potential projects including Ellie's Woodland Walk and water quality mitigation projects.

h. Wolfeboro Town Meeting

Lenore Clark reminded the Commission of Town Meeting scheduled for March 9, 2021.

i. Monthly Expenditure Report

Lenore Clark reviewed such; noting the revenue received from Land Use Change Tax proceeds. She stated the BOS held a public hearing and accepted the gift from the Land Bank for their contribution towards the acquisition of Tax Maps #37-7 & 8.

j. Wolfeboro Waters

Warren Muir stated the Assessment Committee met today and reviewed such.

Art Slocum reviewed Warrant Article 24; noting such relates to the establishment of a capital reserve fund for mitigation projects. He noted having a capital reserve fund would assist the Town with grant funding.

Warren Muir stated the Town is working with the Lake Winnepesaukee Association to create a watershed management plan for Wolfeboro Bay.

III. Correspondence

The Commission received the following correspondence; NHDES applications and Land Use Change Tax Fund memo.

IV. Other Business

Herbicide Treatment of Invasive Species

Lenore Clark stated she invited Mike Vogel to the meeting to discuss the use of herbicide treatment on invasive species and asked him to speak to his concerns regarding the eradication of invasive species.

Mike Vogel appeared online however, he did not respond to Lenore Clark's request to speak.

Audrey Cline stated she has been following the issue and conversation on social media and read the Conservation Commission meeting minutes. She stated it would be helpful if the Commission could prepare an informational document that details the Commission's process as to how they came to the decision to use herbicides to treat invasive species and provide links to the reports the Commission relied upon for their decision.

Nancy Byrd stated she prepared a report based on research from scientific journals and submitted such to the Commission that argues against the use of glyphosates on Town properties; noting she would share such with anyone.

Audrey Cline requested the information included in the document be agreeable by the Commission.

Art Slocum stated the Conservation Commission at this time is doing their due diligence regarding the matter. He stated the Commission hasn't made a decision regarding the matter.

Jeff Marchand thanked Ms. Cline for participating in the meeting. He stated the Commission can't put out an informational document at this time because there currently is not consensus. He stated the Commission is trying to balance the concerns noted on social media; noting the Commission is up against public opinion. He stated he has done research and every alternative has its pros and cons. He stated the Commission has engaged the advice of a licensed herbicide applicator.

Warren Muir stated the Commission has one proposal that is being reviewed; noting an alternative is to leave the invasive species and take no action.

Nancy Byrd stated she has not made specific recommendations because the Commission has to get a handle on the actual problem and review the various choices before making a final recommendation.

Lenore Clark stated the matter will be discussed in April with an open forum to the public.

Jeff Marchand asked if the Commission could have a special meeting on the subject and invite the public in a formal way to receive public input rather than holding the discussion during a regular meeting.

Art Slocum cautioned against community engagement until the Commission has gathered all the necessary information and is able to answer their questions. He stated the Commission is still in their review process. He stated there has only been one person out of 300 who made posts on Facebook step up and ask questions and provide comment.

Warren Muir discussed the petition.

Lenore Clark stated the original petition included several errors regarding information that was provided and not well founded and began by a person that is not a resident of Wolfeboro. She reviewed the budgetary process that prompted the discussion of invasive species. She stated the Commission members are doing their research on the management of invasive species and is gathering data regarding the matter.

Warren Muir stated the Commission's request for funds was not predicated on any particular action.

Jeff Marchand stated the public doesn't even know, or care, that the Commission did their due diligence in choosing Lee Gilman.

Lenore Clark stated Mr. Vogel emailed her and informed her that his computer doesn't have a microphone or camera and therefore, can only listen to the meeting however, cannot participate. She stated she doesn't feel that Facebook is the appropriate place to address the matter.

Warren Muir asked if the petition has been submitted to the BOS or Commission.

Lenore Clark replied no.

Warren Muir stated the Commission shouldn't consider the petition if it hasn't been submitted.

Lenore Clark and Jeff Marchand agreed.

Warren Muir left the meeting at 8:30 PM.

It was moved by Brian Gifford and seconded by Jeff Marchand to adjourn the March 8, 2021 Conservation Commission meeting. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – yes, Warren Muir – yes, Art Slocum - yes. The motion passed (7-0).

There being no further business before the Commission, the meeting adjourned at 8:35 PM.

Respectfully Submitted,

Lee Ann Hendrickson

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