

**TOWN OF WOLFEBORO
CONSERVATION COMMISSION
June 13, 2022
DRAFT MINUTES**

Chairman Clark opened the meeting at the Wolfeboro Public Library at 6:30 pm.

Members Present: Lenore Clark, Chair, Dan Coons, Vice-Chair, Jim Nupp, Warren Muir, Members, Sarah Silk, Peter Foley, Bob Gilbert, Alternates.

Members Absent: Dave Senecal, BOS Representative, Jeff Marchand, Brenda Jorett, Brian Gifford, Members.

Lenore Clark appointed Sarah Silk, Alternate, to sit in for Jeff Marchand, Member, appointed Bob Gilbert, Alternate, in for Brian Gifford, Member, and appoint Peter Foley, Alternate, to sit in for Brenda Jorett, Member.

I. Approval of Minutes

May 9, 2022

Correction: Page 1, change Jim Nupp from Alternate to Member

It was moved by Sarah Silk and seconded by Warren Muir to approve the May 9, 2022 Conservation Commission minutes as amended. Lenore Clark, Sarah Silk, Warren Muir, Peter Foley, Jim Nupp voted in favor. Dan Coons, Bob Gilbert abstained. The motion passed.

May 24, 2022

It was moved by Sarah Silk and seconded by Peter Foley to table the approval of the May 24, 2022 Wolfeboro Conservation Commission minutes. All members voted in favor. The motion passed.

II. Discussion Items

a. Town of Wolfeboro – Pop Whalen Ice Arena

Jim Pineo reviewed the issue with utilities as part of the Pop Whalen renovation project and requested guidance relative to the removal and/or repurposing of nine white pines in order to accommodate the installation of utilities to the transformer site.

The Commission discussed the removal of approximately nine white pines, some living and some not, along the driveway into the Pop Whalen Ice/Abenaki facility for safety measures associated as well as recommended plantings for the area (silky dogwood, crabapple, button bush, blueberry, phlox, milkweed, black eyed susans and pussy willow. The roadway would remain in its existing location and condition. The Commission discussed topping the dead trees below the powerlines to attract birds and pollinators, keeping the area as natural as possible, maintaining leaf litter to attract birds and animals, and dropping the pines in the water to help with turtle and fish population.

It was moved by Jim Nupp and seconded by Dan Coons to remove the white pine trees and plant vegetation that would encourage pollinators and bird and fish habitat at the Pop Whalen Ice Arena site. All members voted in favor. The motion passed.

b. MOU Between Wolfeboro Single Track Alliance & Wolfeboro Conservation Commission

Lenore Clark stated the Commission's attorney, Jim Cowles, reviewed the MOU and provided comments (she noted the comments were distributed to the Commission).

Sarah Silk questioned the language regarding e-bikes.

Dan Coons stated the language is necessary.

It was moved by Jim Nupp and seconded by Peter Foley to approve the MOU between Wolfeboro Single Track Alliance and the Wolfeboro Conservation Commission as amended by Attorney Jim Cowles and present the revised MOU to Wolfeboro Single Track Alliance for review and execution of (if Wolfeboro Single Track Alliance is agreeable to the revisions) said MOU. All members voted in favor. The motion passed.

c. Fernald Station Parking Lot

Lenore Clark stated she received an email from Noreen MacDonald who stated she has been in contact with Mike Weeks, State of NH Bureau of Trails; noting there is money for matching grants to improve the parking area. She stated the existing parking lot has been resurfaced with gravel. She stated Jeff Marchand reviewed the survey; noting the parcel that is owned by the Town does not have frontage along Route 109. She stated Mike Weeks does not believe the Town would receive a driveway permit from NH DOT therefore, the creation of a parking area and access through the existing parking lot and across the rail trail entrance is being discussed.

Dan Coons recommended applying for a NH DOT Driveway permit regardless.

Jim Nupp stated he would prepare the driveway permit application for submittal.

d. Tax Map #37-7 & 37-8; Survey

No report regarding the status of the survey.

Lenore Clark stated Lakes Region Conservation Trust is requesting the Shape file and legal description. She noted LRCT approved the Conservation Easement including language that was required by LCHIP and LRCT is preparing the Baseline Documentation report.

Dan Coons stated he will request such from the surveyor.

e. Beaver Exclusion Device – Goodwins Basin Property

Lenore Clark stated Noreen MacDonald informed her that the grant for the device was not approved.

Jim Nupp stated he was asked by the Cotton Valley Rail Trail Committee to ask the Commission if they would consider sharing the cost of the device; noting the total cost is \$2300 (exclusionary device and fencing). He stated the Committee does not have the resources to pay for the entire cost.

Dan Coons asked why the Commission is being asked to pay two-thirds the cost of something the Commission does not want.

Lenore Clark stated she is in favor of the device.

Jim Nupp stated the issue will be a continual problem.

Sarah Silk asked why the grant was denied.

Lenore Clark stated it was a factor of competition with other applicants.

Dan Coons recommended looking into other organizations for grants (Moose Plate). He stated continual trapping will be necessary because new beavers will move into the area.

Jim Nupp stated he would speak to Noreen MacDonald regarding other grant opportunities.

Warren Muir stated the Town is paying for such a device on Rust Pond.

f. Ryefield Marsh

Dan Coons stated the beavers are back at the property and noted the neighbors are complaining. He stated an exclusionary device would be appropriate and noted that such would help with the boardwalk issues. He stated he believes he could submit the project under a trails notification.

The Commission discussed repair of the boardwalk and repairing such during the next drawdown in 2023.

g. Back Bay Acquisition Project

Lenore Clark stated the fundraising effort to acquire the properties remains ongoing and distributed the draft fundraising flyer; noting the deadline to raise the funds for the acquisition is September 22nd. She stated the LCHIP application is due next week. She stated Moose Mountain Regional Greenways has been asked to hold the easement to the property, however, is concerned for vandalism, encroachment issues and continued maintenance. She asked the Commission if they would be willing to hold the easement if Moose Mountain Regional Greenways votes not to hold the easement. She noted the Land Bank is willing to retain ownership of the property if the Town/Conservation Commission holds the easement.

Jim Nupp stated that vandalism is a valid concern.

It was moved by Sarah Silk and seconded by Dan Coons to agree that the Town of Wolfeboro and Conservation Commission shall be the easement holder of Tax Map 204-15 and Tax Map 204-17 if Moose Mountain Regional Greenways declines the offer of easement holder. Lenore Clark, Dan Coons, Warren Muir, Sarah Silk, Bob Gilbert, Peter Foley voted in favor. Jim Nupp abstained. The motion passed.

h. Tin Mountain Conservation Center Trout Stream Enhancement Program

Rick Van de Poll reviewed the Trout Stream Enhancement Program; noting such restores first-order streams in the region through the use of course wood material and noted a strategy work session is scheduled for July 1st. He referenced an unnamed stream above Mirror Lake and stated the Center could use help with landowner cooperation.

Bob Gilbert noted that Willey Brook is on a secondary list.

i. Whiteface Mountain – Eagle Scout Project, Parking Area Expansion, Conservation Easement

Lenore Clark stated there is no report on the Eagle Scout Project. Referencing the expansion of the parking area, she stated such would require heavy equipment.

j. Deutsch Easement Monitoring

Lenore Clark stated a monitoring walk will be scheduled; noting Dan Coons and Brian Gifford will be attending.

Jim Nupp asked to be included in such.

k. Tree Farm Program Request

Lenore Clark read the letter from the American Tree Farm System, dated June 6, 2022 (the letter states that the Town's Tree Farm was selected for inspection and said inspection is due prior to year-end).

Dan Coons stated he provided Dan Stepanauskas' contact information to Wendy Scribner.

l. Wolfeboro Waters

Warren Muir stated work is scheduled to occur on Rust Pond; noting sampling would occur pre and post project completion. He stated an assessment will be done on Upper Beach Pond. He noted the data from water collected last year was received; noting an overwhelming amount of picocyanobacterial in three of Wolfeboro's lakes. He stated there will be volunteers collecting samples in Back Bay.

III. **Other Business**

Brewster Heath

No report.

Harriman Hill Trail Dedication Ceremony

Ceremony is scheduled for June 15th, 7 PM @ Clement Court, Harriman Hill.

***Sarah Silk left the meeting at 8:40 pm.*

Pine Hill Road Housing Project

ZBA application for such was continued to June 27th.

Boardwalk on Bay Street – Private Wetlands

Lenore Clark stated that depending on where the property line is located, the boardwalk is either on a vacant lot with no house or primary structure owned by Edward H Morgan III and Diane Morgan, or a commercial lot that contains the Brookside Plumbing & Heating building. She stated no permits were found on the NH DES wetlands permit database query.

Pine Hill Road Acreage (Caleb Pike)

Lenore Clark stated she received a call from Caleb Pike inquiring about a conservation easement on his mother's properties. She stated the family (Caleb and his two siblings) are considering preserving the two properties (one property consists of twenty acres and includes a house and barn and the other property is located across the street and consists of thirty acres and is vacant land).

IV. **Public Comment**

None.

V. **NH DES Dredge & Fill Application Review**

Dennis Fogarty Trust

151 Clark Road, Lake Winnepesaukee

Tax Map #242-4

Standard Dredge & Fill

The applicant proposes to make necessary repairs to an existing grandfathered dock, breakwater, patio and concrete retaining wall along the applicant's frontage and after-the-fact repair impacts that were performed under the original NHDES approval 2018-02527.

The Wolfboro Conservation Commission noted no objection to the Dennis Fogarty Standard Dredge & Fill application, Tax Map #242-4.

Foley Family Revocable Trust 2013

127 Forest Road

Tax Map #215-31

Special Use Permit

The applicant proposes a paved turn-around and two-car garage (24'x24') adjacent to an existing home to allow for covered parking and permanent storage.

***Warren Muir left the meeting at 8:55 pm.*

Referencing the Foley Family Revocable Trust 2013 Special Use Permit application, Tax Map #215-31, the Commission noted that the proposed turnaround will be constructed in what is now a lawn area separated from the side slope by a retaining wall. This construction, along with the proposed garage, will increase the amount of impervious surface

area (and therefore stormwater runoff) immediately adjacent to the Town's recent stormwater management project along Forest Road, upstream from Carry Beach. These impacts will be somewhat mitigated by the addition of drip trenches along the sides of the garage and a portion of the driveway. There will also be an additional, although small, incursion into the protected wetland buffer zone. The Commission did not have a strong objection to this project as proposed but feels that this construction should have been considered and accounted for during the initial site planning and home design phase, so the overall impacts to the property could have been reviewed more comprehensively. The Commission also feels that the proposed garage could be built with smaller dimensions and still provide adequate vehicle storage and protection while minimizing the further encroachment into the wetland buffer zone.

VI. Adjournment

It was moved by Dan Coons and seconded by Bob Gilbert to adjourn the June 13, 2022 Conservation Commission meeting. All members voted in favor. The motion passed.

There being no further business before the Commission, the meeting adjourned at 9:10 pm.

Respectfully Submitted,

Lee Ann Hendrickson

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