

**TOWN OF WOLFEBORO
CONSERVATION COMMISSION
November 27, 2023
APPROVED MINUTES**

Chairman Clark opened the meeting at the Town Hall Annex conference room at 11:17 am.

Members Present: Lenore Clark, Chair, Dan Coons, Vice-Chair, Jeff Marchand, Brian Gifford, Brenda Jorett, Members.

Members Absent: Dave Senecal, BOS Representative, Jim Nupp, Peter Foley, Members, Sarah Silk, Bob Gilbert, Warren Muir, Alternates.

Staff Absent: Lee Ann Hendrickson, Administrative Secretary.

I. Discussion Items

a. Catchment Basin Installation/Replacement at Carry Beach

Fred Cain gave the Commission a brief history of the previous road relocation along Carry Beach, which led to the Town returning land to some of the property owners. There is a culvert that runs parallel to Forest Road starting at 198 Forest Road, running through his father's property at 208 Forest Road (TM #228-49). The culvert takes a 90 degree turn on abutting Town owned property and drains into Lake Winnepesaukee (Jockey Cove) where there have been numerous cyanobacteria blooms and high fecal coliform counts in recent years. The culvert is at the low point of Forest Road and drains stormwater from parts of Sewall and Forest Roads and is located close to Mr. Cain Sr.'s leach field and failed septic tank. There is a small catch basin at the 90-degree turn which to Fred Cain's knowledge has not been properly maintained, though he believes the Town highway department is going to start. In the past, Fred Cain installed a silt fence to prevent pollutant-laden sediment from reaching the lake but his father removed it. The septic tank on his father's property was previously failed by the Town's Health Inspector and the Town had it capped. The landowner was directed to have a new system designed within 60 days but there has been no enforcement and it was not done. NHDES was last consulted about three summers ago but they said it is the Town's responsibility to enforce, and so far, the Town has declined to do so. Fred Cain lives year-round on the parcel on the other side of the culvert outlet, and voluntarily collects weekly water quality (coliform) samples at his own expense during the summer when his grandchildren visit, to learn whether the water is safe for swimming. A sample of coliform bacteria present was DNA-tested and came back as animal in origin rather than human, but the testing was done at the end of October instead of the summer high-use season when there is higher occupancy rate at Mr. Cain Sr.'s house (which is not his primary residence).

Fred Cain would like to see a second, larger catch basin installed at the upper end of the culvert while the Town is already present working on the sewer line hookup project approved by the voters last March (the work is not being done by Town Department of Public Works but by a subcontractor and is currently underway.) The Town wants effluent pumps installed but the State has approved grinder pumps, so the State and Town are at odds. That issue is separate from the drainage issue Mr. Cain would like to see addressed but provides an opportunity. The Town

Manager was approached about this but so far has said the culvert replacement needs to be in-kind, with no changes to the current size/shape/configuration.

The Commission confirmed there is no NHDES Wetlands permit associated with this project, only a Shoreland permit.

Dan Coons asked if the culvert could simply be removed, since roadside swales and wetlands can serve to trap and retain stormwater and pollutants.

Fred Cain stated he thinks there is too much drainage coming off the Sewall Road and Forest Road slopes for that to be effective, given the high water table in that location. He stated it would likely flood the property at 198 Forest Road.

Jeff Marchand questioned flow.

Fred Cain confirmed during rain events there is visible flow.

The Commission discussed the recent washout of Whitegate Road across the street from this area, after the Town replaced culverts uphill in the Berrywood neighborhood. Replacing this culvert without adding a catch basin could likewise result in damage to Forest Road and local properties. Commission members deliberated and agreed by consensus to support the position that if the Town is going to replace the culvert, anyway, adding an upstream catch basin would be a relatively inexpensive way to correct what is clearly a detriment to the lake. The Commission understands that money is tight but, the Commission thinks there is excess money in the project budget, given the amount approved by voters and the project bids that came in. The lake is the primary driver of our Town economy and the benefit is worth the cost. The BOS are scheduled to meet on December 6 but Lenore has a conflict and cannot attend. The Commission agreed and authorized Lenore Clark to write a letter to the Town Manager and BOS, with a cc to Wolfeboro Waters, as soon as possible since the sewer hookup project is underway.

Fred Cain provided sketches to include with the letter.

II. NH Dredge & Fill Application

**Charles Schwager Jr. 2020 Irrevocable Trust and Elaine C. Schwager 2020 Irrevocable Trust
106 Broadside Road/Lake Winnepesaukee
Expedited Minimum Impact
Tax Map #213-9**

The applicant proposes to repair/replace a dock and breakwater in-kind; existing rocks that have fallen will be used to repair the breakwater.

The Wolfeboro Conservation Commission noted no objection to the Charles Schwager Jr. 2020 Irrevocable Trust and Elaine C. Schwager 2020 Irrevocable Trust Expedited Minimum Impact application, Tax Map #213-9.

III. **Other Business**

Ryefield Marsh

Jeff Marchand stated he searched the deed for Ryefield Marsh and discovered the book/page numbers listed on the Town's tax map are incorrect, as the listed numbers correspond to a property in another town.

Dan Coons stated he would look into such.

Property Monitoring and Boundary Marking

The Commission discussed property monitoring and property marking and noted the following;

- Monitoring/marketing of conservation easement formerly known as the McBride Easement (now owned by Wentworth Watershed Association) scheduled for December 1, 9 am.
- Front Bay Park – already walked/monitored
- Bill Rae Conservation Area (eastern portion) – to be monitored once ground is frozen
- Bridger Conservation Easement – to be scheduled

IV. **Adjournment**

It was moved by Dan Coons to adjourn the November 27, 2023 Conservation Commission meeting. Jeff Marchand seconded the motion. All members voted in favor. The motion passed (5-0-0).

There being no further business before the Commission, the meeting adjourned at 12:40 pm.

Respectfully Submitted,

Lee Ann Hendrickson

Lee Ann Hendrickson

***Minutes prepared from notes submitted from Lenore Clark.*