

**TOWN OF WOLFEBORO
CONSERVATION COMMISSION
April 12, 2021
APPROVED MINUTES**

Chairman Clark opened the virtual meeting at 6:31 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 8 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, Dave Senecal - yes (acknowledged there is no one present with him), BOS Representative, Jeff Marchand – yes (acknowledged there is no one present with him), Brian Gifford – yes (acknowledged there is no one present with him), Nancy Byrd – yes (acknowledged there is someone present with her), Members, Bob Gilbert – yes (acknowledged there is no one present with him), Sarah Silk – yes (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.

Member Absent: Ed Roundy, Member.

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Chairman Clark appointed Bob Gilbert, Alternate, to sit in for Ed Roundy, Member.

I. Approval of Minutes

March 8, 2021

It was moved by Jeff Marchand and seconded by Nancy Byrd to approve the March 8, 2021 Conservation Commission minutes as submitted. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – yes, Warren Muir – yes, Bob Gilbert – yes, Dave Senecal - yes. The motion passed (8-0).

March 8, 2021 Dredge & Fill Minutes

It was moved by Brian Gifford and seconded by Nancy Byrd to approve the March 8, 2021 Conservation Commission Dredge & Fill minutes as submitted. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – yes, Warren Muir – yes, Bob Gilbert – yes, Dave Senecal - yes. The motion passed (8-0).

March 30, 2021 Dredge & Fill Minutes

Correction: Page 1, change “PM” to “AM” in both the opening & adjournment of the meeting

It was moved by Nancy Byrd and seconded by Brian Gifford to approve the March 30, 2021 Conservation Commission Dredge & Fill minutes as amended. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – abstain, Warren Muir – yes, Bob Gilbert – yes, Dave Senecal - abstain. The motion passed (6-0-2).

II. Discussion Items

a. Appointment of Chair and Vice-Chair

It was moved by Brian Gifford and seconded by Warren Muir to appoint Lenore Clark as Chair of the Wolfeboro Conservation Commission. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – yes, Warren Muir – yes, Bob Gilbert – yes, Dave Senecal - yes. The motion passed (8-0).

It was moved by Jeff Marchand and seconded by Warren Muir to appoint Dan Coons as Vice-Chair of the Wolfeboro Conservation Commission. Roll call vote: Lenore Clark - yes, Nancy Byrd – yes, Brian Gifford – yes, Jeff Marchand – yes, Dan Coons – yes, Warren Muir – yes, Bob Gilbert – yes, Dave Senecal - yes. The motion passed (8-0).

b. Goodwins Basin

Brian Gifford stated Sal Nicastro remains concerned regarding the potential for carpenter ant infestation with the tree on the Town’s property that is close to his property. He noted tree limbs hang over one of his cabins. He stated Mr. Nicastro asked what could be done to remedy such.

Sarah Silk confirmed that Mr. Nicastro is stating that the trees on the Town’s property is responsible for the ant infestation on his property.

Brian Gifford stated the trees on the Town’s property that had fallen were infested with carpenter ants and affects his cabins.

Warren Muir asked what Mr. Nicastro would like done.

Brian Gifford stated he would like the tree to be inspected to ensure that it is not infested.

Sarah Silk stated the Town has a tree warden (Kirk Titus).

Dan Coons stated he would be in favor of having Bartlett Tree assess the situation if Kirk Titus is not able to.

Jeff Marchand advised against the Commission accepting responsibility for the ant issue; noting tree stumps are prone to ants. He stated if an assessment is done there will be a recommendation as to how to treat the matter and given the proximity of the property to the water, there could be another controversial issue that becomes of the situation.

Lee Ann Hendrickson asked if the tree that had fallen last fall been removed from the property.

Lenore Clark replied no.

Lee Ann Hendrickson advised the Commission to complete the task of removing said tree and assess whether the limbs from the tree that overhang the property line should be trimmed.

The Commission discussed how the property was acquired and previous discussions with Adam Tasker, Public Works Department regarding the fallen tree.

Jeff Marchand questioned whether the Commission as the easement holder or manager of a Town property has to pay for tree removal services or whether the Commission can request the removal by the Public Works Department.

Sarah Silk recommended placing a work order with the Department of Public Works and have them determine whether it falls within their scope of work.

Jeff Marchand stated he doesn't agree with contacting the tree warden and stated that he sees this as an ongoing issue with the abutter. He stated Mr. Nicastro should informed that there are remedies available to homeowners.

Lenore Clark agreed and stated Mr. Nicastro was aware there were trees along his property line when he purchased the property.

c. Canoe Encroachments; Bill Rae Conservation Area & Front Bay Conservation Area

Dan Coons stated he emailed John Struble twice regarding the canoe that remains on the Town's property at the Front Bay Conservation Area; noting he has not yet received a response. He recommended the Commission remove the canoe.

Lenore Clark asked if the canoe and row boat is still at the Bill Rae Conservation Area.

Dan Coons replied yes.

Nancy Byrd stated two months ago she only observed the row boat at the property.

Jeff Marchand stated he could speak to Ken St. Pierre regarding increasing patrols at the area however, recommended signage regarding the launching (not storing) of canoes/small boats for him to be able to enforce. He volunteered to address the issue.

Lenore Clark stated she would assist Jeff Marchand with walking the Front Bay property.

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

Lenore Clark stated Andrew Lester submitted a revised contract and requested input from the Commission. She stated Jeff Marchand questioned the width of the trail so as not to attract snowmobiles and ATVs; noting that such would be addressed the same as for the previously constructed trails.

Jeff Marchand stated he would not call the document a contract but rather, an agreement and believes the signatory block should reflect the Chair's name. He stated he has an issue regarding the language relative to donation solicitation (noted under Other Conditions) and doesn't believe the Commission should agree to such. He asked what the Commission would do with materials left over since they can't be used by anyone except Bella Terra Trail Design; noting the agreement states that any material not used on the project becomes the Commission's property and has to be stored until another project is done by Bella Terra Design. He stated such is convoluted and doesn't believe the Commission should be a custodian of funds and materials.

Sarah Silk questioned Mr. Lester's intent.

Lenore Clark stated Dan Coons was asked by Wolfeboro Single Track to place a donation box at the new Willey Brook trail kiosk.

Dan Coons stated the donation box was his idea and not Wolfeboro Single Track.

Sarah Silk expressed concerned regarding donations being left at the site; noting the site is remote and is concerned for vandalism and theft.

Jeff Marchand read the following under Other Conditions, a. "BTDD reserves the right to solicit donations for the Wiley Brook Conservation Trail project to be made directly to the Wolfeboro Conservation Commission. Any donated equipment and/or materials may be used by BTDD for the duration of the project and on any further construction and/or maintenance at the Wiley Brook property, or on other contracts awarded to BTDD by the Conservation Commission."

Following further discussion of the agreement for the Willey Brook trail project, the Commission agreed to the following revisions;

- Other Conditions, a. Invoices, third sentence; add "with the option to be edited by the Wolfeboro Conservation Commission" to the end of the sentence
- Other Conditions, a. Invoices, 4th sentence; strike "by BTDD" and "or on other contracts awarded to BTDD by the Conservation Commission" (the sentence to read as follows: "Any donated equipment and/or materials may be used for the duration of the project and on any further construction and/or maintenance at the Wiley Brook property.")

It was moved by Jeff Marchand and seconded by Dan Coons to approve the Agreement Between Bella Terra Trail Design and Wolfeboro Conservation Commission as amended. Roll call vote: Roll call vote: Lenore Clark - yes, Nancy Byrd - yes, Brian Gifford - yes, Jeff Marchand - yes, Dan Coons - yes, Warren Muir - yes, Bob Gilbert - yes, Dave Senecal - yes. The motion passed (8-0).

Lenore Clark stated she reviewed the bog bridges with Steve Paquin, Code Enforcement Officer, and noted he has signed off on the design. Referencing the request for a donation box at the kiosk at Willey Brook, she stated she would prefer a sign stating the Wolfeboro Single Track Alliance is a 501C3 organization and is accepting donations.

Dave Senecal stated he doesn't agree with having a donation box at the site however, donations could be dropped off at the drop box at the Town Hall.

Sarah Silk recommended placing a sign or notice on the kiosk with contact information for those who wish to make a donation.

Lee Ann Hendrickson stated the notice should include "c/o Conservation Commission" so that Town employees will know what department the donation should be given to.

Jeff Marchand recommended electronic donations through Wolfeboro Single Track Alliance.

Lenore Clark asked Dan Coons to relay the discussion to Wolfeboro Single Track Alliance.

e. Wolfeboro Waters

Warren Muir stated ice is out and there are plans for monitoring. He stated there is a proposed watershed management plan for Wolfeboro Bay and Back Bay, including Jockey Cove. He stated the plan would be overseen by the Lake Winnepesaukee Association and noted the management plans allow for State and Federal matching funds. He stated Wolfeboro Waters is hoping the proposal would be endorsed by the Commission.

Nancy Byrd stated she was involved in the Mirror Lake Watershed Management Plan and could assist with the project.

Warren Muir stated there will be a steering committee and a solicitation to people who are interested in such. He noted there will be outside fundraising as well.

It was moved by Nancy Byrd and seconded by Jeff Marchand to support the creation of a Watershed Management Plan for the Wolfeboro Bay subwatershed. Roll call vote: Lenore Clark - yes, Nancy Byrd - yes, Brian Gifford - yes, Jeff Marchand - yes, Dan Coons - yes, Warren Muir - yes, Bob Gilbert - yes. The motion passed (7-0).

Warren Muir stated a Facebook page has been created for Wolfeboro Waters. He stated there have been discussion/hypothesis regarding correlation between cyanobacteria blooms and ALS and/or Parkinson's disease; noting the World Health Organization concluded that there is no scientific support for the hypothesis.

III. Other Business

Wentworth Watershed Association Sign Posting

Jeff Marchand stated the Commission received "Conserving Your Land" from Wendy Scribner and recommended sending the book to abutters of his property to solicit conservation easements at Whiteface. He stated the Wentworth Watershed Association screwed a sign to a beautiful old cedar tree at Diamonds Corner. He stated it appears to be a solicitation and was shocked that a conservation minded organization placed screws in a tree that endangers the tree.

Lenore Clark stated she would speak to Julie Brown regarding such.

Monthly Expenditure/Revenue Report

Referencing the monthly expenditure report, Sarah Silk asked if the \$150 that was taken from the land fund for snowplowing would be reimbursed by the operating budget.

Lee Ann Hendrickson stated she has not addressed the matter to date.

Saving Special Places

Nancy Byrd stated she attended the Saving Special Places conference online and reviewed the workshops she attended.

Invasive Species Academy

Lenore Clark stated she attended the invasive species academy and would be compiling her report for the Commission. She stated a special meeting would be scheduled to discuss the invasive species issue.

It was moved by Nancy Byrd and seconded by Dan Coons to adjourn the April 12, 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, Bob Gilbert – yes. The motion passed (7-0).

There being no further business before the Commission, the meeting adjourned at 8:15 PM.

Respectfully Submitted,

Lee Ann Hendrickson

Lee Ann Hendrickson