

Minutes, Atkinson Conservation Commission
June 6, 2011
Atkinson Town Hall

Call To Order by Chairman Tim Dziechowski at 8:02

Attending:

Tim Dziechowski
Dan Kimball
Scott Kukshel
Denise Legault
Pete McVay
Michelle Veasey
Paul Wainwright

For Planning Board:

Sue Killam
Paul DiMaggio
John Wolters
Mike Turell

Guest Business and Plan Reviews:

Planning Board and Conservation Commission met in joint session to discuss a request from Rick Shaefer concerning the dam he built across Hog Hill Brook about 20 years ago. Bob Allen, a neighbor of Rick's attended because Rick is out of town on a family emergency. Rick received a letter from Brian Desfosses of the State Bureau of Dams, stating that the Bureau had received a complaint and the dam is not legal. Rick has three options: pay an annual fee, remove it entirely, or remove it to the level where it no longer qualifies as a "dam" under the state definition. The state defines a dam as an impoundment six feet high or higher. There was some question about the height of the dam: local abutters say that the dam is no more than five feet high. Beaver dams are not covered by the bureau of dams, so removing any beaver debris might solve the problem. Bob will meet with Brian and inspect the dam. The combined Boards were of the opinion that, if the dam is truly high enough to come under state jurisdiction, then lowering the dam might be the best solution.

Other Dredge and Fills / Site Walks / Complaints

15 Chase Island Road: seasonal cottage. The new owners built a deck with no building permit and it is more than 15 feet over the reference line. The DVD may show if there was a deck on the house, or get an affidavit from long-time residents. Michelle asked if there was an "expiration date" for grandfathering: that if a deck did not exist for a number of years that the grandfather period expires. The Commission can't make a recommendation with no prior proof of a deck. Tim will write a letter stating that the current deck is in violation.

Other Business

The **Forestry report** was reviewed by Danville. The final report was copyrighted by the author, Charlie Moreno. There are several reasons for copyrighting, including protection of professional intellectual property, but there are issues about how the Commission and town can use the information if it is under copyright. Tim will check with Sumner of the legality of copyrighting this report.

Train depot in Plaistow: Michelle received a call from a town resident asking about the Conservation Commission position on the train controversy in Plaistow. It is too early for the commission to take a stand or attend the abutter meetings. The Atkinson Conservation Commission has the only claim to being an abutter in Atkinson, but we have no legal standing other than being notified.

Stickney Land on Lakeside Drive. Pete noted that residents of Lakeside Drive have planted daylilies and irises on the boundary by the Stickney conservation land, a beautification effort that markedly improves the appearance of the area. The upper end of the Stickney Land has been notorious for illegal dumping and trash. The effort of local residents is applauded by the Conservation Commission.

A **workshop to review and approve past Commission** minutes has been scheduled for July 20th at 7:00 pm at the town hall.

Fireworks on conservation land. Fireworks have not been specifically banned on town lands and there have been some incidents in the past around July 4th. Fireworks may not be specifically prohibited by state and local ordinances, but can probably be banned as a fire hazard and misuse of public property. Recommendations are to post no-firework signs on key fields and to spot check for violations. A motion was made that no fires or pyrotechnics are allowed on town forests without prior approval of the Conservation Commission. The motion was seconded and passed unanimously.

The next meeting of the Commission will be Wednesday, July 6, at 7:30.

The meeting adjourned at 9:26.

Respectfully submitted,

Pete McVay