

**Minutes, Atkinson Conservation Commission  
January 9, 2012  
Atkinson Town Hall**

**Call To Order** by Chairman Tim Dziechowski at 7:23.

**Attending:**

Tim Dziechowski  
Denise Legault  
Pete McVay  
Paul Wainwright

**Guest Business and Plan Reviews:**

Tim and Denise attended the **Cooperative Alliance for Regional Transportation** (CART, <http://www.cartrides.org>) workshop. Several other town administrators and interested parties also attended. CART is switching from a small vehicle to a bus. There is a lot of work to be done as this is a new transportation model. CART will return with more information. Once plans are formalized it could be a warrant article. Tim pointed out that there is a little-known article that will allow \$5.00 per car registration to go toward mass transit in the town.

**Review of Correspondence**

**Legislative update:** there are a lot of 2012 bills pending which affect conservation and land access. **HB1512** would have prohibited conservation commissions from managing land, but has been withdrawn. **HB514** would prohibit any governmental access to private land, and could make inspection for potential flood or forest disease and perambulation of town boundaries illegal. The status of these bills, and all bills concerning local government, can be monitored through the *New Hampshire Legislative Association Bulletin* issued weekly at <http://nhlgc.org/nhma/legbulletins.asp>.

**Planning Board Agenda Items:** there is a new regulation that gives only **30 days to approve or reject applications for cell towers**. Given that the Board only meets once a month, there is not enough time to review applications.

**Zoning Board Agenda items:** no meeting because of no applications.

**Other Dredge and Fills / Site Walks / Complaints**

**Beaver trapping is on hold** because of the difficulty of gaining access to the Carolyn Orr land. Tim did a walk and saw no evidence of illegal deer stands or paintball use. The only incident he discovered was an abutter that is piling lawn debris in a way that blocks access to one path to the land.

**Legality of land clearing at Cogswell Farms:** there has been a lot of correspondence on the Conservation email account and a lot of misunderstanding about what logging can be done on private lands. The situation is confusing because Cogswell Farms encompasses 32 condo townhouses and approximately 12 single-family homes, all of whom have rights to the open space. The developer went bankrupt so no conservation easement was ever put in place on the land, so the only protection is the implied easement under RSA 674:21-a. Therefore, all 46 homeowners must agree on the language in any easement. Without homeowner agreement, the only way to enforce the law is through the courts. The cutting on the Cogswell open space is in a legal limbo, neither legal nor illegal. Michelle has sent one letter on this to the Cogswell Farms Home Owners' Association, and Pete will send a second letter with more clarification.

**SPNHF 2011 monitoring report, Williams, W&M, #4** Tim noted that the records in the planning office and the tax maps do not agree on boundaries by as much as 100 feet. This will have to be fixed before Atkinson and Hampstead can perambulate the borders.

NH Dam Bureau still has **issues with Rick Schafer's dam**. Intent-to-cut form filed for 20 acres of Schafer land, but there was some confusion on whether or not Rick signed it. He did, and this will restore the road that was stopped 20 years ago. Bob Allen was the developer.

**Lili Bao, complaint pending**, but there is no complaint on the agenda.

Clearing and fill in wetlands at VanRy Stables. Tim got a complaint and saw that brush was dumped on the property. Pete will talk to Jim Kirsch and visit VanRy.

## **Other Business**

**Bylaws and land use rules**, defer to February

**All fields have been mowed** and Ted has been paid

Dan and Tim bought **PT 4x4's bought for sign and trail use**. Denise reported results of her trail walk on the Marshall Land. The big diagram sign is against a tree and has to be reset. Putting the sign deeper would stabilize it. There were 15 signs. 1,2 3 are fine. 4, 6, 7, 10 13, 15 are missing. 5, 8, 9 11, 12 14 are fine. 12 and arrow sign are out of the ground and rotted. . Also, the mailbox is crushed. Before replacing these signs we need a plan. UNH might have some interns, but we would have to pay them. Are there some grants?

We should make a **running list of projects** and keep track of them

**Replacement trail map mailboxes** came in and need to be placed.

**Canoe launch parking, berms are here**, need sign templates. The berms will be used as parking space areas and will have "No Parking – Loading Zone" stenciled on them, both sides. Paul will get a price on lettering.

**Game camera is in**, Paul to deploy it. Bushnell trail cam, night vision motion activated infrared. Also has lockable trail box and extra batteries. Tim will get it to Paul.

**Perambulation**, have selectmen's appointment, spoke with Plaistow and they're ready to go when the ticks subside

**Caroline Orr forestry plan, contract signed, work ongoing**. They have been out looking at trail and the planned completion date is 1 April, cut to be done this summer.

Recommendation from Charlie that we get bids over the winter from **Vegetation Control Service** ([www.vegetationcontrol.com](http://www.vegetationcontrol.com)) for invasive plant control.

Urban Tree Service has a Brown Brontosaurus or something similar and could create field habitat for cottontails. We need a plan for **trail maintenance and development**. Urban Tree service could go out and do the work.

**Warrant article to add Pettengill parcel** to Caroline Orr town forest, to be managed together by the conservation commission under RSA 31:112. The submitted article reads as follows:

This article allows the town to manage this new parcel as part of the forestry plan for the adjacent Caroline Orr Town Forest.

Article 2012-xx

Shall the town vote to designate the 2 acre Pettengill parcel (Map 10 Lot 8)

purchased by the Conservation Commission in 2011 as an Atkinson town forest,

to be managed by the Conservation Commission under the provisions of RSA 31:112?

**Warrant article to clarify that the conservation commission will have seven full time members and three alternates**, with planning board membership as allowed by state law, submitted:

This article modifies the membership of the conservation commission to bring it into compliance with state law, which already regulates which boards planning board members may serve on, and also clarifies the number of alternates.

Article 2012-xx

Shall the town modify the membership of the Conservation Commission as follows: The Conservation Commission shall consist of seven members and up to three alternates with three year terms as provided for under RSA 36-A:3.

## Internal Business

**Secretary report:** The November minutes review was deferred because of a lack of attending members quorum. A motion was made to accept the December 2011 minutes as amended. The motion was seconded and passed unanimously.

**Treasurer's report:** all bills paid, spent \$6210.38 of \$7996 budget. 2012 budget approved for \$6003 by selectmen and budget committee.

### Other:

Webpage update, atkinsonconservation.org was approved as a secondary link for special conservation-related materials, such as guides, references, and special workshops.

Town meeting report is due January 15<sup>th</sup>.

The next meeting will be on Monday, February 6<sup>th</sup>, at 7:00 PM.

The meeting adjourned at 8:45.

Respectfully submitted,

Pete McVay