

**Minutes for the Regular Meeting of the
Walpole Conservation Commission
May 6, 2019**

Members Present: Alicia Flammia (Chair), John Peska (Vice Chair), Lewis Shelley, Steven Dumont

Alternates Present: Peter Palmiotto, Myra Mansouri

Members Absent: Laura Hayes, Duncan Watson, Gary Speed, Elaine Heleen, Kelli Wilson, Jackie Kensen

Others Present: Jeremy Hockensmith, Peggy Pschirrer, Cheryl Mayberry (Selectboard Representative)

Call to Order: Alicia called the meeting to order at 7:31 PM.

Seating of Alternates: Peter Palmiotto has been seated as a regular member.

Review and approve minutes - April 1, 2019. Lew made a motion to accept the minutes as written. John seconded. All in favor.

Public Business:

1. Treasury: the Conservation fund savings balance is \$43,350.76, PDIP is \$87,939.15. Forestry savings account balance is \$1027.02, PDIP is \$47,224.81. The Walker Road PDIP account has \$4,000.69. The Mason non-expendable account has \$16,380.08, the expendable fund balance is \$393,837.30.
2. Correspondence:
 - a. NH Lakes Association; Lakes Congress in the end of May.
 - b. NH DES Wetland Permit Application, culvert replacement, March Hill Road.

New Business:

1. Walker Road Property; Town Attorney: Mr. Hockensmith was in attendance to answer questions from the WCC about the Walker Road Property and the deed language. One question is “what a conservation purpose was”. It is defined in federal law for tax purposes. Definition there is very stringent and has to do with tax deductions. NH RSA 477:45 defines what a conservation restriction is and puts limits on what can be done. The definition is quite broad and wide open, which allows the enforcer say in what will fulfill the purposes and what won’t. He also handed out an article put out by the municipal association titled “The Roles and Responsibilities of Municipalities in Monitoring and Enforcing Conservation Easements”. A second question was that the WCC would like to work with a local farmer to hay the land. He stated that it is clearly and agricultural activity and is allowed. Another question was about public parking on the land. He thinks it is allowable as long as it is to allow the public to enjoy the property. He also believes gazebos or picnic tables are allowed. The deed lists things like structures which are not allowed, except for structures or improvements which are necessary and are not detrimental to the

purposes of the agreement. Another subparagraph lists structures which definitely can not be on the property. If the WCC would like to have something on the property they would have to vote on it. John asked about gating the property to stop any possible activity down below which could not be seen. If the WCC is having a problem with activity down there it could be done. Currently motor vehicles are not even allowed on the property and there has not been any activity in the lower fields. Steven asked what would happen if the current WCC allowed, for example, a gazebo down in the lower fields, could a future WCC remove it? The answer was yes. Peter asked if boat access could be allowed per the deed language. Jeremy said it could be done. Whether the WCC would want it is a different question. There was another question about liability if someone was injured or died on the property if we allowed access. Jeremy recommends we check with the town insurance property. Peggy asked that we contact Sarah Downing to let them alert the insurance company that we are having an event there. Jeremy recommends we put up some signage on the property describing what is and what is not allowed. John brought up the issue of mowing the land and the lease agreement we have with Boggy Meadow. Jeremy's opinion is that because Boggy Meadow is leasing the land out to someone else, it is a commercial activity. Mowing the land for hay is agricultural and a different scenario. Jeremy recommends we state in an agreement that the farmer is the only one to hay and is not allowed to reassign it to someone else. It could be a simple haying agreement. Peter believes a farmer's perspective should be sought while writing the agreement. It was agreed that Jeremy will review the agreement. On the topic of the open house, Steven has a message in to the chief of police to discuss parking. There will be a large tent setup at the event. Eric M. is bringing chairs. Steven and Eric are coordinating stakes and ribbon for parking. The Boy Scouts will not be able to attend to help with parking. Eric is inquiring about a podium and a PA system. The 4-H group will have a generator. There will be a donation jar and suggestion box.

2. WALS Collaborative Informational Dinner - May 29th. Alicia let the WCC know we are all invited to the dinner at the Walpole Town Hall. Alicia will send out the email. They are asking if we would like to put up a table.

Old Business:

1. Trail Work Day review. Lew stated we had a good turnout. Completed everything we set out to do that day. Lew would like to do the Mill Pond next, maybe sometime in June. He is hoping to schedule it at the June meeting. Steven asked if we want to put up a kiosk or signage at all our trails to set a precedent. Lew agrees. We would need to come up with a standard blaze color for all the trails, as well as names. Blue was agreed upon for the blazes.
2. Town Easement Report & Maps: skipping until next meeting. Steven needs to reach out to Sarah about the website. Peter will send a link for the map. We could post the map, minutes, and conservation plan on a section of the town website designed for the WCC.
3. Reservoir Dam: three outstanding invoices from Fuss & O'Neill, one for \$3,935.21, one for \$5,944.33, and one for \$1,191.76. To date the town has paid about \$45,000 on five different projects to Fuss & O'Neill, with about \$18,691.00 being paid from the WCC funds. John made a motion to pay the engineer a total of \$11,071.30 for the three invoices. Steven seconded. All in favor. John included that we move the same amount from the PDIP account to the local savings account to pay them. Steven asked what is next. There are three primary areas of concern; slip

lining the culvert, lowering the slope of the bank and lowering the slip overflow way by 8". The culvert work is the primary concern. John and the engineer are having trouble finding anyone who can do the culvert work. John believes Mark Houghton's crew can lower the slope of the bank. All three projects will need a DES permit. There is no current timeline to complete the projects, and John does not have an estimate to do any of the work. Peter asked if have to bear all the costs or if we can go to the selectboard for funds if it is too much. Peter also suggested we fix the culvert before we do the cosmetic work of fixing the grades. Peggy noted that there was a town vote stating that Forestry funds go to pay for the reservoir project repairs. John noted that anyone who does the repairs has to be certified by the DES. John will talk to Mark H. to see if the Fuzzy Brothers have been asked if they can do the work, and he'll also follow up with Brian Vincent to ask again for recommendations.

4. Long View Forest Management: Alex walked the Fanny Mason Forest last week. Said we did a great job on the trail work. He is looking forward to finishing up the assessment but has to go back for a little further field work. He also wanted to reach out about invasive work in the Hooper Forest. The WCC's agreement was to get all the rapid assessments in and review and prioritize them before we pull the trigger on any one forest.
5. Expiring Terms: Duncan is interested in staying on as an alternate but understands he is not able to participate much, and is willing to step down if asked. The WCC believes he is a great resource and should stay on as an alternate. Gary has to get sworn in.
6. Commercial Solar Project: they did not show at the last meeting. Agreed to remove from the agenda.

Other Business:

1. None.

Adjournment: At 9:02 Peter made a motion to adjourn the meeting. John seconded. Meeting adjourned.

Next Meeting: Monday, June 3, 2019 at 7:30 PM.

Respectfully submitted; Steven Dumont, Recording Secretary

Note: These are unapproved minutes. Corrections, if any, will be found in the minutes of June 3, 2019.