

**TOWN OF TUFTONBORO  
CONSERVATION COMMISSION**

240 Middle Road  
Ctr. Tuftonboro, NH 03816  
Meeting Minutes  
August 24, 2020

Because of Covid-19 the 08/24/20 meeting was held via **GoToMeeting**. The following people attended the meeting and were identified by roll call.

**Members present:** Steve Wingate, Chairman; Stephen Scapicchio, Vice Chairman; Larry Gil, Laurel Podsen, Kate Nesbit, Heather Brown, Members; Mike Phelps, Alternate Member.

Arriving 7pm: Mark Howard, Member

**Members absent:** Selectman's Representative, Lloyd Wood

**Staff present:** Linda Bean, Administrative Secretary

Chairman Steve Wingate called meeting to order at 6:41pm

**I. Consideration of meetings**

**a) July 20, 2020**

Larry moved that the minutes of 07/20/20 be accepted with amendments, which will show in "**bold** and *italic print*". Laurel seconded the motion. Roll call as follow: Larry – yes, Laurel – yes, Steve – yes, Stephen – yes, Kate – yes, Heather – yes, Mike – yes.

**II. Discussion Items**

**a) Great Meadow**

- **Trail Progress**

Steve said he really does not have anything new. A&B is still having trouble getting pressure treated lumber. Steve said he still has to finish the list of lumber needed.

- **Historical Talk**

The historical talk went well. Steve said that a lady at the meeting gave him \$25 to go towards the trail. He gave it to the Tuftonboro Assoc to put it with the funds they have put aside for the trail. He said that he needs to find out who this person is, in order to recognize her contribution.

- **Future Activities at the North End**

Steve would like to suggest a hike this fall at the GM location. They have two trails to inspect. One is the old snowmobile trail and the other trail would be a bit more of a hike. At the next meeting they can discuss what they want to do, management wise, to the two newly acquired lots. They don't want any four-wheel activity on the trail. Stephen said he would organize the hike. Steve said it would be good to invite the Snowmobile Club to go on the hike as well.

**b) Budget Review**

Budget is in good shape due to Covid-19 restrictions.

### **III. Status of Dredge & Fill Applications**

See attached

### **IV. Correspondence**

None

### **V. Old Business**

#### **a. Mirror Lake Conservation**

Steve said he attended their annual meeting. They thanked the TCC for their work so far, to preserve the property at the other end of the lake. This project is moving slowly, we haven't heard anything from NRCS.

#### **b. Comments on RIB Talk**

A very detailed discussion was had by the members. Steve had composed a letter to the Wolfeboro Selectmen regarding the meetings held with Dave Ford for the NHDES permit that the town of Wolfeboro is seeking for the RIB site. Larry complimented Steve on his letter. Many of the members felt that Dave Ford gave an excellent talk. However, the problem with the discharge and what they are suggesting as a solution, is not necessary a good solution. The Nineteen Mile Brook needs more monitoring and the TCC needs more input on where and how this will be done. They also don't like the idea of discharging 350,000 gallons of water into the brook. Perhaps the letter needs a stronger tone, without causing any bad feelings. Steve said he would edit his letter and send to the members for them to approve and vote at the next meeting. Larry wanted to know how we approach the Wolfeboro Selectmen about our pharmaceutical concerns. Dave Ford did agree that it should be addressed. Kate felt that the letter should be a document of all of Tuftonboro's concerns for the record. This would make sure that Wolfeboro understands exactly where Tuftonboro stands on these issues.

#### **c. Old Home Days**

It was well attended this year. The scavenger hunt was a success. Laurel thought that next year it might be a good idea to have a scavenger hunt for the very young children and one for the older children.

#### **d. Trout in the Classroom**

Laurel said that due to Covid-19 the school is going to a hybrid plan for school this year, so it is unlikely that the program will be implemented this year.

### **VI. New Business**

#### **a. Mt. Pleasant Fund-Raising Campaign**

Steve said that they still need to raise \$158,000. The funds TCC has are limited.

#### **b. Capital Improvements**

Steve said he received a request from the CIP Committee for any changes or requests for capital improvements. He asked for \$12,000 to extend the GM trail beyond the original plan. He felt that we could ask for a future year, but not for this year.

#### **c. Libby Park**

The Tuftonboro Selectmen asked Steve to go out to find the property markers on the east end of the property. Stephen said he knows one of the land owners that abuts the property and he would go with Steve to do this. Larry said he would go with them as well.

**VII. Non-Public Session (if needed)**

**Mike moved to adjourn the 08/24/20 meeting at 7:51pm,  
Kate seconded the motion**

**Roll call as follows:**

**Mike Phelps – yes  
Kate Nesbit – yes  
Steve Wingate – yes  
Stephen Scapicchio – yes  
Larry Gil – yes  
Mark Howard – yes  
Laurel Podsen – yes  
Heather Brown – yes**

**There being no further business, the 08/24/20 TCC Meeting was adjourned at 7:51pm**

**Respectfully Submitted  
Administrative Secretary  
Linda Bean**

## **STATUS OF DES APPLICATIONS**

### **08/24/20**

**1. Tizzy Burke**

**41 Tuftonboro Neck Rd, MAP 51-2-43**

Project is to install a seasonal pier and anchoring pad. State has approved.

**2. Deborah Leahy Rev Trust**

**48 Bixby Shores Rd, MAP 39-2-4**

Project is to replace seasonal pier with a permanent pier and repair wharf. State has approved.

**3. Lake House Nominee Trust**

**34 GWH, MAP 63-1-7**

Project is to construct a perched beach. State has approved.

**4. Law Family Trust**

**William & Cecile Law**

**18 Carillon Shores Rd, MAP 28-1-29**

Project is to repair or replace existing docking structure and install a watercraft lift. Application sent to State.

**5. Melvin Village Marina**

**463 GWH, MAP 14-3-3**

Project will involve installing a turbidity curtain within the confines of an existing boat slip area. Application sent to the State. Steve Wingate signed off on this project.

**6. Mark & Heidi Capone**

**4 Little Bear Island, MAP 11-1-58**

In 2010 State issued a permit to construct a 2- bedroom cottage on sono-tubes impacting 975 sq ft. In 2017 Folsom Design applied for another permit stating that the construction had not been completed prior to expiration of the permit. State issued another permit subject to a number of specified general conditions. In Sept 2019 State received a complaint about the conditions of the property. State sent letter then inspected the property. They noted that the small cabin on sono-tubes was significantly larger than permitted and the natural ground cover was removed from the waterfront buffer. On Oct 10, 2019 State issued letter of deficiency. On April 6, 2020 they contacted Mark Capone about the continued work on the property. On April 7, 2020 Tuftonboro issued a cease and desist order. On April 18, 2020 the State contacted Mark Capone due to another complaint they received. Subsequently NHDES received a copy of the

Tuftonboro police report dated May 30,2020. During the interview Mark Capone asserted that he was drilling and that was not excavating.

On June 3, 2020 the State inspected the property and found that approximately 9,000 sq ft of unauthorized impacts within the protected shoreland, a makeshift outhouse, excavation and filling adjacent to the leach field, woodland buffer completely eliminated, silt fence not installed properly and not functioning as intended, unpermitted drainage trench dug, gravel piled on property and unpermitted impacts to abutting properties.

On July 9, 2020 NHDES concluded that Mark & Heide Capone violated their impact permit. They have been ordered to cease all work and within 30 days of the date of order shall implement a restoration plan only after approval from the NHDES according to the approved schedule. Mark & Heidi Capone shall submit to NHDES a report at the completion of the restoration, no later than Nov 15, 2020.

Monitoring progress reports for two successive growing seasons shall be submitted to NHDES on Sept 15,2021 and on Sept 15, 2022.