

**TOWN OF TUFTONBORO  
CONSERVATION COMMISSION  
November 18, 2019**

**MEMBERS PRESENT:** Chairman Steve Wingate, Members Larry Gil, Laurel Podsen, Kate Nesbit and Selectmen's Representative Lloyd Wood

**MEMBERS ABSENT:** Mark Howard and Kathleen Murphy

**MEMBER ARRIVING AT 6:45pm,** Vice Chairman, Mike Phelps

**STAFF PRESENT:** Administrative Secretary Linda Bean

Steve Wingate opened meeting at 6:35pm

**I. Consideration of Minutes**

- October 21, 2019  
Laurel Podsen moved to accept the minutes with corrections, Kate Nesbit seconded, and all were in favor. Changes in minutes will be in ***bold and italicized*** print.

**II. Discussion Items**

**a) Great Meadow**

- **Grant Process**  
Steve Wingate said that the process is coming to a close. Rick Sager is away at the moment but when he returns there will be a meeting to finalize the sale.
- **Trail Progress**  
Steve said that the trail will be put on hold until spring.

**b) Budget Review**

- Steve attended the Selectmen's Meeting and they approved the budget for 2020. He asked Larry to help the secretary to go through the RIB box that is in the Conservation office.
- Kate Nesbit reviewed the budget to date which seems to be right on schedule.

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

**1. Ben & Lexi Hoffman**

12 Forest Rd, MAP 14-4-1

Provide a 4'x45' & 6' x 50' permanent dock, State received application, Mike Phelps had no objections.

**2. Richard Ormond**

54 Bixby Shore Rd, MAP 39-2-1

Repair/replace existing cribs

**3. David Ladd**

Lanes End, MAP 2-1-71

State received application, found to be administratively complete. Kate Nesbit inspected and found slight discrepancy between work detailed under the project description and that on the submitted map of same. Spoke with the owner and he is now aware of the discrepancy in the details made by the filer, he is checking with company.

**4. Lincoln Trust**

38 Little Bear Island, MAP 25-1-35

Remove existing U-shaped crib dock and install a W-shaped seasonal crank-up dock.

**5. Barvel Whang**

Sandy Shores, MAP 14-3-46

Larry noted that the proposed contractor describes the project "to perform a maintenance dredge of the channel and boat slips" and the application states "to dredge the existing access channel".

6. **Idlewild Assoc**  
203 Cow Island, MAP 37-1-214  
Repair existing docking structures in kind with no change in size or configuration.
7. **David & Kimberly Gibson**  
4 Whortleberry Island, MAP 26-1-4  
Remove 576 sq ft of bank and .6 cu yds of material from 30 sq ft of lake bed, to construct perched beach.
8. **Brenda Stowe**  
Devens Island, MAP 25-4-64  
State approved repair to a 10'x14'x3' deck and 2' wide walkway.
9. **William Deyesso**  
Durgin Rd, MAP 46-2-9  
Proposed project was to construct two wetland stream crossings for a residential driveway. State requests more information. Larry Gil inspected with concerns.
10. **YMCA**  
MAP 40-2-2  
State received complaint of possible violations on their property. Complaint alleges that camp or agent has constructed structures within the protected shoreline.

#### IV. Correspondence

- **Natural Resources Conservation Service**  
We received a brochure from them telling us a little about the easement programs that they offer.
- **Varney Engineering LLC**  
We received correspondence from Varney Engineering regarding the complaint of work done by Mahnaz Mahidashti at 10 Westward Bay. They will be responsible for restoring their lake front to the state's specifications.
- **New Fees for DES Applications**  
Steve said that the state has changed their fees for Dredge & Fill Applications effective November 1, 2019.

#### V. Old Business

- **Shane Easement Monitoring**  
Steve wrote a letter to Howard Shane regarding the inspection of his property that is under an easement. He and Kate Nesbit will be meeting with him to discuss what is involved and when the TCC would like to do the inspection. Members discussed some of the points of the easement.
- **Nineteen Mile Brook Study**  
Larry Gil said he hasn't heard anything new. Joel Detty said he should be getting some more information later this month or December.  
Mike asked about the last September readings that were lost.  
Larry stated that Detty said that because August was a very dry month, the flow of water would have been less, and the readings should be consistent with other dry periods like August.  
Lloyd Wood brought up a question as to why we found out about the lost readings by rumor. He said that the Selectmen may invite Normandeau Associates to explain why they proceeded with the report based on partial information and will there be a reduction in the final bill for lost data.  
Steve said that Normandeau plans to meet with the Selectmen and the TCC to present the data and the findings. We can evaluate the data at that time and ask questions.  
Mike said Normandeau could compare the September 2009 readings to the August 2019 readings.
- **Copps Pond Project**  
Steve said that they are almost finished with the observation platform. Job was a little more involved than first thought. They found some rot in the old bases.  
Lloyd Wood asked if Steve had any bills for the cost of materials and carpenter's hours yet. He said that he does have some, but needs to check the materials purchased at the lumber company etc. Steve said that they have to put the railings on and finish the bracing.

- **Mirror Lake Conservation**

Larry called Anne Torregrossa for progress and she said that she and Rick Van de Poll talked to the prospective buyers. They are willing to sign a letter of intent for a conservation easement which would let Rick start the grant application.

Steve said the MLPA is paying Rick to do the ecological assessment. Once we have a letter of intent from the owners, the TCC will take over. It will be important to reach an agreement on what area is included in the easement with the owners before we begin the grant writing process.

Lloyd Wood reminded the TCC that the Lang Pond Road is closed for part of the year. This poses a problem for anyone wanting to build on this road. There would be no access for the police or fire department. There is also a snowmobile trail that is on the closed road. He also wanted to know if at some point in the easement process the town could own the quarter acre, which is located as you come down the hill from Wolfeboro on the right. There is a little parking area where the snowplows turn around, and there is a rain garden there that needs to be maintained. It needs to be cleaned out and we don't own it so the town cannot maintain it.

Steve said this could be covered in the easement agreement.

- **Van Arsdale**

Steve stated that there is nothing new on this easement possibility.

- **Landfill**

Larry was asked to come up with a proposal for environmental services for the landfill. He has completed a draft but wanted to put it out for comment before sending to the NHDES for their review. He would like the Selectmen to review first.

Lloyd asked when this should go out for bid.

Larry said that he doesn't know the answer to that.

Lloyd asked if it wouldn't be the State that sets the guidelines as to what should be tested and at what intervals.

Larry pointed out that there are new things, like PFAS, that have come up, that need to be addressed.

Lloyd asked about the leak that is on the Carleton property and should there be a different company to look into that.

Larry said that this leak has been directly linked to the landfill, so it would be under the same contract.

Mike asked if the coating that was put on the landfill could be part of the problem. Discussion was that there could be a link.

- **Central School Trail**

Laurel said that she and Larry worked on cleaning up the trail behind the library. There were a lot of trees down near the library that may need to be cleaned up after the addition is completed. They got most of the brush cleaned away. The trail still needs to be remarked.

- **Nesbit Easement**

Kate said that the easement has been signed and filed with the Registrar of Deeds.

- **Cheney Farm**

Mike said that he has not as yet had the time to make contact with the owner or their representative to conduct an inspection.

Lloyd asked if this is more of a curtesy than a legal matter.

Mike said that it was a curtesy. He will keep trying.

- **Mt. Pleasant**

Steve said that LRCT has filed for a grant with LCHIP. LCHIP is supposed to announce the results on December 4<sup>th</sup>.

- **Mirror Lake Outlet**

Steve asked what Lloyd's concerns were regarding this outlet by the Mirror Lake Church.

Lloyd said that as you stand at the bridge and look back at Mirror Lake there are a lot of invasive weeds and shrubbery on both sides.

Mike asked if this was what was holding the water back?

Larry said no. Just to the south of the boat launch, where the outlet is located, if you follow it down by the church and then under the road, there is a beaver dam. There is water passing through it but there is a lot of leaves and brush slowing it down. Mirror Lake Watershed Committee cleaned this out last time. Larry felt that the TCC should not get involved as there are too many liability issues.

- **NHACC Review**

Larry submitted a written review of the workshop that he attended. A brief summary is attached to the minutes.

Mike Phelps inquired as to the status of the Carleton property.  
Steve said this is on hold for now.

**With there being no further business, Kate Nesbit moved to adjourn the November 18, 2019 TCC Meeting, Mike Phelps seconded, and all were in favor, meeting adjourned at 8:20pm.**

**Respectfully Submitted,  
Administrative Secretary  
Linda Bean**

Memorandum for the Record:

Larry Gil: Conservation Commission Member

Re: Meeting notes from the NHACC Annual Meeting

The plans were for myself, Steve Wingate and Nancy Byrd from the Wolfeboro Conservation Commission to travel together to attend the New Hampshire Associations of Conservation Commission's Annual Meeting. However, the windstorm the previous night took some trees down preventing Steve from attending the meeting. As in the previous year, meeting was at Pembroke Academy. My sense was the overall turnout was less than last again the likely effect of the storm.

**The Panel Discussion "The Nature Economy: Balancing Economic Development and Natural Resources"** was moderated by Jennifer Beck, Moderator; Wilton Conservation Commission and Wilton Economic Development Committee and included the following panel members Robert Scott, NH Department of Environmental Services Commissioner, Steve Whitman, Resilience Planning and Plymouth State University Shannon Rogers, Nature-Based Economic Development Specialist, UNH Extension and Harry Viens, NH State Representative and Center Harbor Conservation Commission.

Dr. Rodgers and the panelists championed the use of a Nature Economy as an effective means of leveraging natural capital for economic healthy communities. The idea as I understood it, is to better link our natural resources to a sustainable community. The panel fielded questions from the audience with many suggestions involving increasing community input for capacity building, having Conservation Commissioners also serving on other town and regional Boards, using cable TV, or our forms of social media to discuss issues such as annual corridors, invasive plants.

SB 43 AN ACT establishing a commission to study barriers to increased land development in New Hampshire, was brought as it is related to review and change to how communities use current use. Raised a number of concerns from the audience and panel.

I attended the workshop offered by Mr. Jay Aube NHDES regarding updates to the Shoreland Water Quality Protection Act. The new regulations are focused within the 250 ft buffer and were presented as trying to retain or restore vegetative buffers, better manage stormwater and excessive structures. The land within the 250 ft buffer is divided into 1250 sq ft grid blocks. The respective 50 ft, 150 ft and 250 ft zones of buffer each allow a certain level of alteration with respect to what is referred to as the impervious footprint and/or percent change from undeveloped. The triggers would include 1. Use of mechanized equipment, 2. Filling that changes contour and 3. Constructing new structures.

There were a lot of questions about the new regulations and how to interpret them. Some examples: Within the 50 ft alterations which utilize mechanized equipment will require a permit while hand work might not. Twenty Percent (20%) alteration within the 250 ft buffer would not require a permit but 30% withing the 250 ft buffer would require an increase in the natural buffer within the first 50 ft buffer.

**NHACC says they will have the presentations available on-line thru their webpage and I will see about obtaining all of the presentations.**

The second workshop was entitled Using GIS to create maps for Conservation Land and presented by Craig Tufts Central Regional Planning Commission.

Impressive amount of materials are now available for developing conservation maps and providing visual interpretation to land use issues. He recommends utilizing the "GraniteView Tool" at the New Hampshire Granite website. Discussed the use of weighted co-concurrence as a mapping tool. The ability now of mobile apps on smart phones for mapping GPS coordinates.

The Afternoon Work Shop I attended was DES Wetlands Permit Planning Tool by Stefanie Giallongo, NHDES.

A new planning tool is being "rolled out" in time for the new regulations being implemented on 12/15/19. It can be found at the ONE STOP screen. The expectation is that the mapping and data layers will allow much future permit requests and review be accomplished on line. Everybody was cautioned that this tool is only for screening purposes and will not replace a site visit. I was able to work thru some of the tools such as the Aquatic Restoration Mapper which provide information stream crossings incredible.