

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
March 13, 2013**

The March meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Members present were: Rob Adair, Carol Lyman, David Weathers, Paul Pinkham, Larry Huemmler, and Alternate Matt Coughlan. Dan Lucy joined the meeting at 6:45 p.m. The Chair appointed Mr. Coughlan a full voting member.

1. Approval of Minutes 2/13/13: The following corrections were noted: Pg. 1, Paul Pinkham was thanked for his more than ten years of service as *Chair* of the Commission; Pg. 3, 4th full para., last sentence should read “.....contingent upon Earl Sires and NHDOT reviewing the language.....”; Pg. 4, 5th full para. *Marhsall* should read *Marshall*. **Motion was made by Mr. Pinkham, seconded by Mr. Huemmler, that the Minutes of the Feb. 13th meeting be accepted as corrected. Motion carried with 5 votes in the affirmative and 1 abstention (Weathers).**

2. Public Comment: None.

3. Reports: It was noted that Mr. Johnson had been present to walk the Marshall lots earlier today, but was not able to attend the meeting, nor was Mr. Lees present.

4. Other Business:

a. Transvale Acres – Mr. Adair reported that two parcels have been offered as gifts to the town of Conway: Lot 251-136, owned by Wells Fargo Bank, to be given free and clear to the town; Lot 251-109, being offered by a private owner as long as the town pays the back taxes of approximately \$50. Mr. Weathers said the intent would be to remove any sign of habitation, grade the lots over and seed them, and return them to a wild state. Mr. Adair read from a memo from Mr. Sires expressing the advantage to the town of taking these properties for life safety and environmental reasons, noting it is in the public’s interest to ensure that both properties remain in their natural state.

Motion was made by Mr. Pinkham, seconded by Mr. Huemmler, that the Commission agrees with the offer and communicate that to the town. Motion carried by unanimous vote.

b. Marshall Land – West Side Road – Mr. Adair reported an appraisal has been received indicating an appraised value of \$425,000 for all five lots and includes comment about the assumption that they would be treated as one parcel. Mr. Adair said he assumed Mr. Marshall wanted to sell them all together. Mr. Weathers suggested a meeting with Mr. Adair, himself, and the Marshalls. Mr. Adair commented that Mr. Marshall wishes to discuss this with his siblings prior to a meeting. Mr. Adair said he had discussed the proposal with Mr. Sires by phone and suggestion was made that if we decide as a Commission we want to

assume this, we negotiate with the Marshalls and inform the Board of Selectmen that we would like to pursue it. It would require two public hearings.

Mr. Weathers said he is quite familiar with the southern piece, and somewhat familiar with the northern piece. He has read the Forest Management Plan on all five pieces and he feels comfortable with that. He suggested that the detailed plan we have from the Marshalls will make it somewhat easier and will probably make it less costly to have Don Johnson do his work on it. Mr. Adair said he has been over the land, it is huge. Mr. Pinkham questioned whether we could use our land acquisition fund to pay for it and was told we could.

Motion was made by Mr. Pinkham, seconded by Ms. Lyman, that we begin negotiations and report back to the Conservation Commission.

Mr. Huemmler questioned where the money in the acquisition fund comes from. Mr. Adair explained it is from Land Use Change Tax, it is not taxpayer dollars. Ms. Lyman said after we have the hearings the next step is to go to the Selectmen. Mr. Huemmler asked to be included in the meeting with the Marshalls. Mr. Adair agreed. **Motion carried by unanimous vote.**

d. Permitting Whitaker Woods Events – Mr. Pinkham said we are responsible for the management of Whitaker Woods, the permitting process takes place absent this Board; however, to use this place they are required to get a letter which is sent to the Town Manager with a copy to the one requesting, and a copy to the Recreation Dept. Mr. Weathers stated request is supposed to be submitted 90 days prior to the event. It was noted that requirement has been met by all three organizations applying for permits.

Bark In The Park – Sept. 21, 2013. Mr. Adair said he has no information of what it involves. Mr. Pinkham reported that usually participants bring their dogs up from Schouler Park and run then around and return. They provide someone to clean up after them. **Motion was made by Mr. Pinkham, seconded by Mr. Weathers, to approve the public event permit, including clean up, for Bark In The Park. Motion carried by unanimous vote.**

Bike For Books - Oct. 12, 2013. Mr. Adair explained this is a fundraiser for the North Conway Public Library. They would be starting out from John Fuller School, going through Whitaker Woods and back to the school. It was noted there are various options which could include going out to Redstone and to the Moats, depending on the age group. **Motion was made by Mr. Huemmler, seconded by Mr. Coughlan, to approve the Bike for Books event. Carried by unanimous vote.**

Making Strides Against Breast Cancer – Oct. 20, 2013. This was described as a fundraiser walk through Whitaker Woods. Ms. Lyman questioned whether there is a clause included for clean up of any litter that might be left. Mr. Pinkham said on Bike For Books we asked them to include in the letter of permit that they police the area following the event for clean up or to report any damage. **Motion carried by unanimous vote.**

e. Selectmen's Report – Mitigation Lands – Mr. Weathers reported the Board reviewed the packet. He noted the southern section had been cut by Schiavi, but the northern piece had not. He said there is a clause included presently that they can take up to 30% of anything they cut. It will be basically low grade firewood. He said he is not sure, initially, if Mr. Johnson does the forest management where the funding would come from. Excerpt from Minutes was quoted: “any revenue generated by this goes back into the land acquisition account.” Mr. Weather's concern is a question of where the funds come from for the forest management plan. He said if we can determine if there is any excess, it goes back into the general account – it will require close scrutiny. It is his hope that there will be some funds to go back into the general fund - operating expenses go back first to the Conservation Commission, any excess goes into the general fund. He reported the Board of Selectmen voted unanimously in favor of this. The agreement still needs to be signed.

g. Member Roundtable – Mr. Weathers noted he was not here for the presentation on the Build Out Analysis and is not sure how that would benefit us. He stated if their information results in the intent of adopting more rules and regulations it would be a real hard sell. Secondly, as of today, according to the real estate map for the entire area to the east, west and south of Conway Lake, there is nothing being proposed to sell - most of the land is in conservation easements; to the south there is no interest in doing anything. He said if the intent of this information is to put more regulations in place, he does not see anything happening there anyway.

Mr. Adair said it is a tool to help us in planning. Mr. Weathers said he is not sure how we would ever use the information they would provide. Mr. Pinkham questioned what the town would do with the plan. It was noted it is a tool to raise awareness; it does not tell us that we have to do anything. Mr. Adair said we voted unanimously at the last meeting to support it.

Ms. Lyman reported said she will provide a Treasurer's Report at the next meeting.

Mr. Pinkham said for the record he would like to express his appreciation for having been involved with the Conservation Commission, it has been a very enlightening and satisfying experience for him. He expressed thanks to Messrs. Weathers, Johnson and Lucy for their insight.

Adjourn: There being no further business, **Motion was made by Ms. Lyman, seconded by Mr. Pinkham and carried, that the meeting be adjourned at 7:30 p.m.**

Respectfully Submitted,

Gail T. Currier, Recording Secretary