

Minutes of April 9, 2009 Meeting

Members Present:

Earl Bagley (Co-Chairman), Justine Gengras, David Lawrence, Roger Burgess, Tom Hoopes.
Also present Brad Hunter & Melissa Guldbrandsen

Members absent:

Gene Young (Vice-Chairman), and the Selectmen's Representative

Call Meeting to Order:

Co-Chairman Earl Bagley called the meeting to order at 7:05 p.m. at the Alton Town Hall.

Approval of Agenda:

T. Hoopes added an announcement under Commissioner Reports and The Lakes Region Survey under Other Business.

Motion made by J. Gengras to accept the Agenda as amended, seconded by R. Burgess.

Motion passed with all in favor.

Approval of Minutes of March 26, 2009:

Motion made by D. Lawrence to accept the minutes as printed, seconded by R. Burgess.

Motion passed with all in favor.

Presentations/Consultations:

Melissa Guldbrandsen – Wentworth Cove Realty, LLC , Thomas Freese & Peter Farrell, Conservation Easement Deed.

Discussion:

Melissa sent a letter regarding the easement to the Board of Selectmen and also went to the Selectmen meeting on Monday night to provide information. She reported that the Selectman may have questions for the Conservation Commission. Some of the Selectmen were a little confused with the concept of logging in conjunction with the conservation easement. Logging is compatible with conservation. Melissa felt that the Board of Selectmen really wanted to hear from the Conservation Commission. A Conservation Easement can be written to protect a land forever for forestry, or for agriculture or its wetland values, or as an unspoiled wilderness that you can't cut. The Conservation Commission provides stewardship on the conservation easement land.

Motion made by J. Gengras to accept the conservation easement deed for Map 15, Lot 55, subject to favorable review of Attorney Sessler. If Attorney Sessler finds no issues, our chairman should sign on behalf of the Commission. Seconded by T. Hoopes. Motion passed with all in favor.

Planning Board/ZBA Agenda Items:

1. **Stephen & Maureen Nix/Elaine Barrett, Trustee** – Map 66, Lot 12, 1796 Mt. Major Highway. DEPT. HEAD REVIEW: Condo Conversion: Application submitted for a Condominium Conversion to allow for two (2) boat slips. This parcel is located in the Lakeshore Residential Zone.

Discussion:

The Commission reviewed the plans and has no concerns.

The commission signed the review on 4/9/09

2. **D & J Allen Enterprises** – Map 8, Lot 55, 232 Suncook Valley Rd., Site Plan: DEPT. HEAD REVIEW: Application submitted for the removal of a house addition, expanding parking area and adding a porch to the existing building which will become a gift shop. This parcel is located in the Rural Zone.

Discussion:

- a. Wetlands are not clearly delineated on the submitted plans and might well be greater than shown on plans.

- b. Accurate location for the current well. The current well is behind the house. It should be shown on the larger plan. The plans are outdated.

The Commission reviewed the plans and signed the review adding the comments stated above.

3. **James Cruz & Paul M. Monziona** – Map 9, Lot 33-2 & 33, 39 Henry Wilson Hwy & 230 New Durham Rd., Lot Line Adjustment: DEPT. HEAD REVIEW: Application submitted to transfer 2.42 acres of land from Tax Lot 9-33-2 (James Cruz) to Tax Lot 9-33 (Paul Monziona). These parcels are located in the Rural Residential Zone.

Discussion:

The Commission reviewed the plans and has no concerns. The Commission signed the review on 4/9/09.

Standard Dredge and Fill Applications:

1. **126 Pipers Point Lane, LLC** – Map 21A, Lot 23, 126 Pipers Point Lane, LLC. Construct a 1,089 sq. ft. dug-in boathouse providing two year-round boatslips on 151 ft. average frontage. **NHDES in receipt of application and it states that no variance or redevelopment waiver is required.**

Discussion:

The Commission has put a hold on this Wetland Application for a double boathouse on Lot 23. Lot 24 is owned by the same applicant. There was a recent lot line adjustment between Lot 23 & Lot 24 resulting in a gain of waterfront and an additional 3 docks and breakwater to lot 24, which gives Lot 24 a total of 5 slips and 2 breakwaters. The proposed boathouse on Lot 23 appears to be used in common with Lot 24. This appears to be a manipulation of lot line adjustment, 5 docks and 2 breakwaters on a single Lot 24 and should have Governor and Council approval.

Motion made by E. Bagley to send Standard letter with comment to NH Wetlands Bureau regarding the Shoreland and Wetlands Application, seconded by D. Lawrence. Motion passed with all in favor.

Shoreland Permit Application

126 Pipers Point Lane LLC- Map 21A, Lot 23, 126 Pipers Point Lane, The Existing mail house structure on the property is to be removed and a new pavilion, boat house and addition to an existing cabin will be constructed. The remaining altered areas of the site are to be planted with native vegetation.

Discussion:

The Commission has put a hold on this Shoreland Application for a double boathouse on lot 23. The Shoreland Application addresses changes on the lot that are not on the waterfront.

Shoreland Permit Application:

1. **James C. Curvey Personal Residence Trust** – Map 21A, Lot 24, 128 Pipers Point Lane. An addition to the existing residence is proposed. The addition will be located behind the waterfront buffer line, and will include the construction of two pervious patios. Additionally the existing drive will be converted to a pervious surface. Proposed drive areas will also be pervious in order to achieve impervious lot coverage of less than 20%. **NHDES in receipt of application and it states that a variance or waiver of the minimum standards of RSA 483-B: 9, V is required.**

Discussion:

The Commission noted the recent lot line adjustment between Lot 23 & Lot 24 resulting in a gain of waterfront and an additional 3 docks and breakwater to Lot 24, which gives a total of 5 slips and 2 breakwaters. The proposed boathouse on Lot 23 appears to be used in common with Lot 24. This appears to be a manipulation of lot line adjustment, 5 docks and 2 breakwaters on a single Lot 24 and should have Governor and Council approval. The increase of breakwater and docks are not mentioned in the application.

Motion made by E. Bagley to send Standard letter with comment to NH Wetlands Bureau regarding the Shoreland and Wetlands Application for Lots 23 and 24, seconded by D. Lawrence. Motion passed with all in favor.

Other Business:

1. **2009 Elections-** T. Hoopes nominated the following slate of officers for 2009: Co-Chairman (Earl Bagley), Co-Chairman (Justine Gengras), Vice Chairman (Gene Young), and Treasurer (Roger Burgess). The vote was unanimous.
2. **Conservation Land Stewardship-** Contact Forms for 2009
3. **NHDES** - NH Aquatic Resource Mitigation Program Accepting Grant Applications for the Merrimack River Watershed.
4. **2009 Local Officials Workshops-** A Survey of Municipal Law in NH.
5. **Natural Resources Conservation Service Land Protection Programs-**

Correspondence:

The Commission reviewed the following items and no action was taken.

1. **Town of Alton** – Map 33, Lot 84, Rte 28a, NHDES Reconsideration Extension. **NHDES has reviewed the request for reconsideration and has determined that additional information is needed to clarify and complete the request.**
2. **Peter R. Mugford** – Map 52, Lots 38 & 39, Rte 11d, NHDES is in the process of performing an administrative review of this pending file. **Based on NHDES review it was determined that a linear dock perpendicular to the shoreline did exist on the frontage. Be advised that the previous dock did not have a dogleg at the lakeward. Therefore, by May 15, 2009 DES requests that you remove the lakeward section to bring the dock into compliance with the photograph dated 10/22/2002 and submit photographs to DES by June 15, 2009 documenting that the requested work has been completed.**
3. **Douglas Lamson Revoc. Trust.** – Map 73, Lot 11, 70 Sleepers Island, **NDES Notice of Admin Completeness (Min. Imp. Exp. App.)**
4. **James C. & Carol E. Rust, Irr. Tr.** – NH Div. of Historical Resources, Map 79, Lot 26, 544 Rattlesnake Island, No Historic Properties Affected.
5. **Paul M Russell** – Map 55, Lot 6, 162 Roger St., NHDES File #1997-01733. **Notice of Violation.** NHDES has completed a review of the file and has determined violation of RSA 482-A and Admin Rules Env-Wt 100-800 has occurred. The following has been documented.
6. **Town of Alton** – Wetlands Restoration Project, Hayes Road, NHDES File #2008-02689. Response to DES Wetlands Bureau Request for More Info.

Adjournment:

Motion made by R. Burgess to adjourn the meeting at 10:10 p.m. at the Alton Town Hall, seconded by E. Bagley. Motion passed with all in favor

Respectfully Submitted,

Cindy Calligandes
Secretary to the Conservation Commission