

**Alton Conservation Commission  
Minutes of April 14, 2005**

**Approved by the Conservation Commission on 4-28-05**

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Members Present: Co-Chair, Justine Gengras; Co- Chair, Earl Bagley; Thomas Hoopes; Roger Burgess and David Lawrence

Members Absent: and Selectman's representative.

Others present: Cynthia Balcius, NH Soil Consultants, Mark Sargent, Richard Bartlett & Associates for the Conservation Easement for the Hannaford Supermarket and Brian Fortier, West Alton Marina permit and compliance issue update.

**Call Meeting to Order:**

Co-Chairman J. Gengras called the meeting to order at 7:03 p.m.

**Approval of Agenda:**

**Motion made by, J. Gengras to amend the agenda to add the following items: review of the Minimum Impact Expedited Application for Map 58, Lot 5B, Prudhomme, 100 Timber Ridge Rd.; to add under "Other Business": Election of Officers, Planning Board application review requests, and Conservation Commission By-Law review, seconded by E. Bagley, motion carried with all in favor.**

**Public Input:**

J. Gengras opened the meeting up for public input and B. Fortier asked about the mission of the Conservation Commission. J. Gengras explained the mission and the Commission's role as advisory when relating to NHDES Wetland permit applications. B. Fortier thanked her for the explanation.

**Approval of Minutes:**

Approval of minutes from March 24, 2005 meeting.

**Motion made by E. Bagley, seconded by D. Lawrence to approve the minutes from March 24, 2005 as presented, motion carried with all in favor.**

**Presentations:**

**1.** Cynthia Balcius, NH Soil Consultants, Mark Sargent, Richard Bartlett & Associates- Update on the Conservation Easement property for the Hannaford's supermarket.

**Discussion:**

C. Balcius spoke about the proposed easement property being surveyed and a discrepancy over a 2-acre shortage after the property that was discovered after the survey. She said the acreage will be added and told the Commissioners that they will still have more than enough conservation area for mitigation purposes. She explained the proposed easement deed is in draft form and hopes to have it ready for the Commissioners to review soon. She spoke about the property owner D. Hussey wanting to reserve a buildable area within the easement property to build a camp in the future and he would like to have permission to cut trees for view purposes only and there would be no clear-cutting of trees.

E. Bagley asked about additional future houses and M. Sargent said there would not be future houses proposed, only the camp that D. Hussey wants to build and it is questionable as to whether the camp would have electricity or water. C. Balcius told the Commissioners that D. Hussey is planning on building a pond on the property and once that is complete it will fall under NHDES jurisdiction.

E. Bagley asked about the current gravel pit operation and if it would continue after the easement property is established. M. Sargent said he would research that and report back to the Commission

Discussion about the existing gravel road used to access the gravel operation and its status when the easement is in place. The road will not be used to access the easement property and the Commissioners are the only ones with permission to use the road to access and inspect the abutting conservation easement property (Barbarossa). C. Balcius and M. Sargent explained that the reclamation area on Route 28 would be constructed in a way to serve people who want to use the easement property. A pull up area will be included and they explained the two ways people could access the property; one on the north side of Coffin Brook and one on the south side of the brook. They discussed activities that will be allowed or not, on the easement property and those will be explained in the deed and there will be signage located in the pull up/parking area informing people what is allowed.

Discussion about the type of property boundary markers the Commissioners would like to see installed and they should differ from other easement property markers; due to the fact that various activities may not be allowed in this property versus activities that are allowed on other easement properties, like the high school easement property.

**Motion made by E. Bagley, seconded by R. Burgess to propose Conservation Easement Property Boundary Markers for the Hannaford easement property that will have Beavers as the symbol with green lettering on white markers as the 1<sup>st</sup> choice. If Beavers are not available the Commissioners want to an explanation as to why they are not available. The second choice is cattails as the symbol with green lettering on white markers, motion carried with all in favor.**

E. Bagley asked how the ownership of the easement property would be finalized and M. Sargent said he believes that the Bahre's will buy the easement from D. Hussey and D. Hussey will maintain ownership of the land and the flowage rights to Coffin Brook, but they will be included in the easement. The Town will hold the development rights on the land. M. Sargent said they have done similar easement properties this way and they have worked out well.

J. Gengras wants to schedule a site walk to see the boundaries of the property now that the property survey is done.

**Motion made by T. Hoopes, seconded by J. Gengras to hold a Site Walk on April 19, 2005 at 4pm and to meet on site, motion carried with all in favor.**

2. Brian Fortier, West Alton Marina- Update on recent application and Non-compliance with permit revocation NCPR#05-017

T. Hoopes and C. Balcius (as a presenter of another application) stepped down from discussion on this application because of an amended site plan application that will come before the Planning Board.

**Discussion:**

B. Fortier gave a brief history of the business including; it has been operating since the 1960's and all the environmental business practices they follow and awards the business has received. He spoke about the NNHDES underground storage tank non-compliance order the Marina received and he said they have repaired and installed the equipment that was cited in the violation order.

For clarification, the commissioners discussed the exact pieces of equipment that needed to be replaced.

One piece was the sump pump and the other was the flapper valve, they were replaced on April 11, 2004 and August 15, 2004 respectively.

E. Bagley asked if B. Fortier understood the process as to why he has to go before the Planning Board for his application and B. Fortier said they never had to do it before but he understands now why he has to.

B. Fortier spoke about the 20-day appeal process that is attached to the NHDES permits and he wanted

to speak to the Commissioners to see if they were going to appeal the permit approval to repair docks at the marina. The Commissioners explained that they had concerns about the approval being granted for the repairs when there was no notice of compliance issued for the violations.

J. Gengras said the Commission does not have a problem with the approved application but they are not satisfied with the proposed expansion and they would like the Conservation Commission's previous comments addressed. B. Fortier said that they were addressed in the revised plans his engineer submitted.

**Motion made by E. Bagley, seconded by D. Lawrence to have J. Gengras write a letter commending the applicant (West Alton Marina) for resolving the issues surrounding the violations and maintaining environmentally sound business practices for the protection of Lake Winnepesaukee, motion carried with all in favor.**

**Standard Dredge and Fill Applications:**

None at this time

**Permit by Notification**

**1. Town of Alton-Rand Hill Road- Repair an existing culvert that serves an intermittent stream.**

**Discussion:** C. Balcius, NH Soil Consultants representing the application explained that the wetland impact of 20 square feet and the work would be done at a low flow time. She also said it will just be a repair at this time and there are no plans to completely replace the entire culvert.

The Commissioners discussed repairing and replacing the concrete culvert and the Commissioners spoke about not wanting the damage to happen again. C. Balcius said the repair at this time would probably last about 10 years until whenever they replace the entire culvert and headwall and the repairs will be appropriate for the time being.

**Motion made by T. Hoopes, seconded by E Bagley to sign the application and forward to the Town Clerk for processing, motion carried with all in favor.**

**Minimum Impact Expedited**

**1. Minimum Impact Expedited Application for Map 58, Lot 5B, Prudhomme, 100 Timber Ridge Rd.**

**Discussion:** The Commissioners discussed the application about having enough frontage for the property and they decided that they have no issues with the application.

**Motion made by J. Gengras seconded by T. Hoopes to have the Co-Chair to sign the application and forward the application to the Town Clerk for processing.**

**Commissioner Reports:**

**1. Wetlands Complaint for Brandt- Map 39, Lot 29-update from DES**

**Discussion:** The Commissioners noted the update from the NHDES from the Conservation Commission complaint.

**2. Wetlands Complaint for Gayner-Map 53, Lot 3-violation of NHDES Wetlands Permit#2001-01294**

**Discussion:** The Commissioners reviewed the completed Notice of the Violation complaint form to be submitted to the NHDES and agreed the Commissioners would send it to the NHDES.

**Motion made by T. Hoopes seconded by R. Burgess to send the Notice of Compliant to the NHDES Wetlands Bureau, motion carried with all in favor.**

**Other Business:**

1. Resident Harold Murray, Fort Point Road, attended the meeting late after the Public Input session has been opened and closed. He would like the Commissioner's advice on a drainage issues affecting his property after the Town of Alton installed a culvert under a section of Fort Point Rd. Mr. Murray explained the water that now drains onto his property is severe and it is causing problems and damage to his property and his septic system.

The Commissioners spoke about the possibility of the property needing a ditch installed to help divert water from Mr. Murray's property. They advised Mr. Murray to speak with the Town Administrator and go to the Board of Selectman's meeting and speak to them about the drainage problems and also show the Town Administrator and the Board of Selectman the pictures of the property and the damage. The Commissioners believe it is a Board of Selectman issue because it has to deal with Town Roads. Mr. Murray thanked the Commission for their time.

Correspondence file to address:

Commissioners noted no additional items for comment at this time.

2. Election of Officers

**Motion made by T. Hoopes, seconded by R. Burgess to nominate Justine Gengras and Earl Bagley as Co-Chairmen of the Conservation Commission.**

**With no other nominations mentioned, T. Hoopes made a motion to close the nominations, seconded by R. Burgess, motion carried with all in favor.**

**Motion made by T. Hoopes, seconded by D. Lawrence to nominate Roger Burgess as the Secretary/ Treasurer of the Conservation Commission.**

**With no other nominations mentioned, T. Hoopes made a motion to close the nominations, seconded by D. Lawrence, motion carried with all in favor.**

3. Planning Board reviews

J. Gengras went over the Planning Board Review Requests for proposed applications. She and D. Lawrence were the ones to address the requests and perform the site inspections.

4. By-Laws- J. Gengras said the By-Laws for the Commission would be discussed at the April 28, 2005 meeting.

**Adjournment:**

**Motion made by R. Burgess, seconded by T. Hoopes to adjourn at the meeting at 9:15, motion carried with all in favor.**

Respectfully submitted,

Stephanie N. Verdile  
Secretary to the Conservation Commission