

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

Others Present: Bob Bahre, Tracy Tarr - NHSC, Mark Sargent – Richard D. Bartlett Associates, and Kathy Menici – Town Planner

Members Absent: Thomas Hoopes, Stephan McMahon, Selectman's representative.

Call Meeting to Order:

Co-Chairman E. Bagley called the meeting to order at 6:56p.m.

Approval of Agenda:

Motion made by, J. Gengras, seconded by E. Bagley to amend to include under Presentations: Hussey Conservation Easement and soil at the Hannaford site. The amended agenda was approved with all in favor.

Approval of Minutes:

Approval of minutes from July 14, 2005 meeting.

Motion made by E. Bagley, seconded by D. Lawrence to approve the minutes from July 14, 2005 motion carried with all in favor.

Presentations:

1. Hussey Conservation Easement – Tracy Tarr from NH Soils and Mark Sargent from Richard D. Bartlett Associates

Discussion:

The issue being discussed involved the creation of a lot near Route 28, as shown in the current Easement plat, which removed a section of Coffin Brook from the Easement protection and prevented pedestrian access to the north bank of the Brook. This differed from the original mitigation concept presented to the Conservation Commission, the Planning Board and NHDES, which included protection of all of Coffin Brook down to Route 28 with fishing access on both sides of the Brook.

M. Sargent stated that there are three things Mr. Hussey wanted to maintain 1. the pit area, 2. certain distance off roadway, 3. 200 ft of frontage on RTE 28 for minimum size lot outside of the easement. E. Bagley walked the property today 7/28/05 and noted there is considerable dry land available for pedestrian access on the north side of Coffin Brook. J. Gengras was told by NH Soils, that if she did not get the deed language approved by Attorney Sessler before he went on vacation then Hannaford's could not open until the year 2006. J. Gengras felt threatened by this statement. J. Gengras also stated that she was to be notified before the plat was recorded. This did not happen either. M. Sargent took the plat to the Registry of Deeds and recorded the plat July 19, 2005. J. Gengras found out that the plat had been recorded after receiving the easement deed by e-mail July 20, 2005 and going on line to the Registry of Deeds website and seeing that the plat had been recorded without notification. B. Bahre said that there are no threats needed and that M. Sargent was wrong by taking the plat to the Registry of Deeds without J. Gengras first viewing the plat.

K. Menici said, that after speaking with the Town Attorney, the changes in the proposed Easement need

to go back in front of the Planning Board for approval as the current plat differs from what the Planning Board approved in the conditional approval. K. Menici said that the Town Attorney mentioned a few options to her to permit the grocery store construction to proceed. She needs to view these options with the Town Administrator before speaking with anyone. K. Menici will meet with the Town Administrator on Friday, July 29, 2005 to discuss the options.

E. Bagley mentioned that DES needs to be notified of these changes in the Easement. K. Menici asked who notifies DES? E. Bagley said that it is the responsibility of the applicant.

K. Menici suggested that the issues be written down and sent to NH Soils with a copy of the plat and deed.

A thought was that Mr. Hussey was given the wrong information regarding the property going into the easement and that's why he changed his mind regarding the part of the land in question. Mr. Hussey needs to be given the right information and told of the issue. B. Bahre told M. Sargent to contact Mr. Hussey regarding the situation to see if this matter of protecting all of Coffin Brook can be resolved. Mr. Hussey needs to understand that he can use the easement land with the non-easement land for future subdivision of the back land to comply with Alton subdivision and frontage requirements. E. Bagley suggested sending a letter to DES explaining why the Brook parcel needs to be included, which is to get protection for the rest of the brook all the way to Route 28.

K. Menici will place this issue on the August Planning Board agenda and will put a letter together for the planning board explaining the situation.

M. Sargent will speak with Mr. Hussey to see if he is willing to include all of the Brook in the Easement, and the Commissioners will send letter to DES explaining their concerns. The Town Attorney reviewed the draft easement deed and found no problems with the legality of the deed language. Mr. Hussey also needs to know that the Easement will not impact the use of the back parcel.

Hannaford Soil – M. Sargent is going to send a GEI report to the Commissioners of the soil. The test wells indicate sodium was in the ground water not the soil. M. Sargent has not heard of any sodium being found in the soil.

Standard Dredge and Fill:

1. Stephan Morse Map 73 Lot 38 – Construct a 6'X33' seasonal dock adding (4) piling and 4'X12' connecting walkway

Discussion:

The commissioners reviewed the application and found it meets NHDES rules.

Motion made by J. Gengras and seconded by E. Bagley to send standard letter of no objection to NHDES. Motion carried all in favor.

2. Terence Weinhold Map 32 Lot 36 – Replace old pressure treated post dock and place a boatlift with a canopy on either side of the dock.

Discussion:

Motion made by E. Bagley and seconded by J. Gengras to send standard letter of no objection with the following comments. The Commissioners assume that the docks are seasonal and will be

removed at the end of the season. Also one boatlift and canopy extends considerably beyond the end of the dock and should be even with the end of the dock. Motion carried all in favor.

3. Paul Monziona Map 58 Lot 5-20, Provide small beach area behind the shore with no impacts to the bank or shore. Remove 130 sq ft of subsurface stones from the lake to provide a safe access.

Discussion:

Commissioners discussed, reviewed, and decided to send comment sheet of when the field inspection was conducted and that the application submitted did accurately did portray the proposed project. E. Bagley doesn't feel that the area can support a perched beach. The Commissioners feel that 1) dredging the stones in question is either going to be bedrock or large boulders and will create substantial impact to the lake, 2) the shoreline is very fragile and held in place by root mats of existing trees, hence any rock and tree removal will ultimately result in the destabilization of the shoreline, and 3) there are deeded encumbrances on property which can prevent tree removal and also prohibit a dock on the property. The wetlands on the site are not shown on the project plan. No paperwork was ever received by the Town of Alton supporting the legitimacy of the dock, which is in place on the property as seen on 7-15-05 during a site inspection. **Motion made by E. Bagley and seconded by J. Gengras letter of denial with attached comments. Motion carried all in favor.**

Permit by Notification:

1. Joanne Wysznski Map 70 Lot 5 – Replace old dock with new 6'X15' dock with pivot pad to pull from water in the fall.

Discussion:

Commissioners reviewed and discussed the permit. Co-Chair E. Bagley signed the permit.

Notification of Routine Roadway Maintenance Activities

None at this time

Commissioner Reports:

None at this time

Other Business:

1. James Lund Complaint Map 42 Lot 31

Discussion:

Set up new Conservation file, the Commissioners reviewed the complaint.

No action taken by the Commissioners

2. Mowing of the Seavey field at Gilman Pond.

Discussion:

Commissioners discussed the bill submitted by Bob Seavey for mowing and bush hogging that took place to keep the field near Gilman Pond parking lot open and free from tree growth. The Commissioners portion of the bill for mowing of Town-owned conservation land was \$150.00. The Commissioners approved payment of the bill. In the future the Commissioners will require being notified before the land is to be mowed so this cost can be placed in the Commissioners annual budget.

3. D. Lawrence – Master Plan Update

Discussion:

D. Lawrence is drafting a section for the Master Plan regarding Conservation land and slopes. J. Gengras agreed to review D. Lawrence's draft for the Master Plan update. J. Gengras said that the acreage in her database for the conservation parcels are a best guess only, as she found discrepancies between Town tax records, Granite data, and deeds.

Adjournment:

Motion made by E. Bagley, seconded by R. Burgess to adjourn at 9:05pm. Motion carried by unanimous vote.

Respectfully submitted,

Jennifer M. Fortin
Secretary to the Conservation Commission