

Alton Conservation Commission Approved by the Conservation Commission

Minutes of August 28, 2008 Meeting

Members Present:

Chairman Earl Bagley, Vice Chairman Gene Young, Justine Gengras, Roger Burgess, David Lawrence.

Members absent:

Tom Hoopes, Selectman's Rep. Alan Sherwood

Call Meeting to Order:

Chairman Earl Bagley called the meeting to order at 7:00 p.m. at the Town Hall.

Approval of Agenda:

Motion made by J. Gengras to approve the agenda, seconded by G. Young. Motion passed with all in favor.

Public Input:

None at this time.

Approval of Minutes:

Presentations/Consultations:

None at this time.

Planning Board/ZBA Agenda Items:

Standard Dredge and Fill Applications:

Notification of Routine Roadway and Railway Maintenance Activities:

1. **The Town of Alton** – Map 19, Lot ROW, The town is proposing to dredge 2 roadside ditch areas as part of road maintenance. Each area is 375 sq ft. in size.

Discussion:

J. Gengras stated that at the Selectman's meeting there was a lot of discussion about Hayes Rd. It is on a list for substantial upgrade. They are going to be dredging ditch areas. The Commission reviewed the application and no action was taken.

Permit By Notification:

Minimum Impact Expedited Application:

Commissioners Report:

1. **Minge Cove Marina**, Map 59, Lot 1, proposal construct a 4' x 140' walkway supported by 22 pilings. E. Bagley reported that he had viewed the project area and confirmed there is no walkway there.

Discussion:

Motion made by J. Gengras send letter to the Wetlands Board stating the commission is recommending denial also with comment stating that the Commission's file for this project area indicates that the Wetlands Board previously rejected the proposal and found that the proposed structure currently exceed what is allowable for the shoreline frontage. Comment to include the old Wetlands Board file # and copies of the Commission's File notes and past Wetlands Board actions.

Second by R. Burgess. Motion passed with all in favor.

2. **Town Forest.** E. Bagley reported on a phone call from Sarah Thorne regarding the Mike Burke Trail on the Town Forest. She asked for permission to do maintenance on the trail as her family would like to use it. Her phone # is 364-6131. She would like to do some trimming on low hanging branches. The trail hasn't been trimmed for some time.
Discussion:
The commission has no objections as long as Ms. Thorne knows that wheeled vehicles are not permitted. The commission will do a follow up and inspect the trail.
3. E. Bagley reported speaking with Attorney Jim Sessler, regarding conditions on approval of the Finethy Subdivision, he stated he couldn't give too much advice without the document being in front of him to determine what the intent was of the people who had the property. He said if the restriction is placed on a subdivision by the Planning Board, the Planning Board can take it out if they want. If the restriction is in the deed, only the person who transferred or sold the property to him can remove the restriction. If he's not alive only his heirs have the right to remove a restriction on the property.
4. Report made by J. Gengras regarding The Shoreland Protection Act workshop held at Town Hall. Two points she brought to commissions attention; 1. No person shall commence construction, excavation or filling activities within the protected shoreland without obtaining a permit from the department to ensure compliance with this chapter. The law does not provide for Commission review and comment. 2. Exemption only covers the specific impacts authorized by the Wetlands Permit. Impacts that will occur outside of the jurisdiction of the Wetlands Act are not exempted from the permit requirement of the Shoreland Protection Act. Projects that have impacts in both Wetlands jurisdiction and the protected Shorelands beyond Wetlands jurisdiction will in fact need both permits.
5. Report made by G. Young on the monitoring of the Gontarz parcel. Nothing is happening, grass is growing, critters are using the area. The beavers have not come back. Boundaries were poorly marked especially west side. No encroachment from any abutting lots was seen. No human activity seen but much wildlife use, including bear. CC 4 ½" markers were posted on three boundaries. The west line is unmarked, due to very thick growth beyond the old beaver dam.

Other Business:

1. **Gilman's Corner Rd. & Finethy Rd.,** Copy of Subdivision.
2. **Land Use Clerks Work** –Workshop for Conservation Commission, Sat. 9/20/08.
The Commission offered to send Secretary Cindy Calligandes to the workshop.

Correspondence:

Correspondence was reviewed. No action taken.

1. **Joseph Develis** - Map 80, Lot 3, Barndoor Island, Complaint of possible violation. A fence in the bank and bed of the lake.
2. **Shoreland Permit Application** – Map 76, Lot 71, Construct a cottage on sonna tubes, install state approved septic system and install dug well.
3. **Iris Traub,** Map 61, Lot12, 13 Lamprey Ledge Rd., Notice Admin Completeness. (F.Y.I.) Also Request for more Information, needs revised plans to show 5'x6' crib location as measured from the shoreline elevation 504.32
4. **Mike King,** Map 66, Lot 34A, 72 Hermit Rd., Complaint- trees cut within protected Shoreland property.
5. **NH DES-** "The New Hampshire Guidelines for Coordinated Lake Management and Shoreland Protection Plans" (Guidelines)
6. **Shoreland Permit Application** – Brian Petrovich, Map 80, Lot 19, Propose three bedroom house with effluent disposal system & six foot path to shore.
7. **William Kannan** – Map 33, Lot 24 56 East Side Dr. NHDES received complaint alleges constructed addition within the primary building setbacks without a permit or proper authorization from DES.
8. **Richard Gemberling** – Map 80, Lot 1 NHDES approval.
9. **Michelle Wilson** – Map 73, Lot 20, NHDES approval.

10. **Gary Anderson** – Map 40, Lot 4, 12 Lionel Terrace, Shoreland Impact Permit – This approval is subject to the project specific conditions.
11. **Bruce & Rebecca Berk** – Map 81, Lot 32, 54 Barndoor Island, Request for more info. on Standard Dredge & Fill.
12. **West Alton Marina** – Map 17, Lot 9, 35 West Alton Marina Road, This approval is subject to the project specific conditions.
13. **Joseph Bryne** – Map 32, Lot 19 33 Riverlake St. Alton Bay, NHDES received Shoreland Permit Application and it does not require a Variance or redevelopment waiver.
14. **Charles Frank** – Map 5, Lot 53, 12 Temple Dr. Alton, NHDES has received Shoreland Permit Application and it requires a variance or waiver of the Minimum Standards RSA 483-B:9,V.
15. **Mark Fecteau** – Tom Varney monitored Property, They have maintained the planting are well.
16. **The Source** – Newsletter.
17. **Varney Engineering** – Re: Map 38, Lot 6, 154 Spring Street, Submitting an application to NHDES for a Shoreland Permit. Notifying Town of Alton.
18. **NHDES** – Project ID Lake Winn. Public Dock TB-Alton, Water Sample
19. **NHDES** - Project ID Lake Winn. Alton Bay TB-Alton, Water Sample

Adjournment:

**Motion made by R. Burgess to adjourn the meeting at 7:45 p.m., second by J. Gengras.
Motion passed with all in favor.**

Respectfully Submitted,

Cindy Calligandes
Secretary to the Conservation Commission