

Hanover Conservation Commission
Meeting Minutes, Wednesday, July 8, 2009
Meeting commences at 5:10pm
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Members present: Robin Carpenter, Ed Chamberlain, Ray Hogue (reporting), Michael Mayor, Doug McIlroy, Anne Morris, Judy Reeve, Sandra White; **also,** Athos Rassias (Select Board representative) and Vick Smith (staff). Hogue (alternate) had non-voting status at this meeting.

Item 1: Application for Special Exception, Floodplains, Water Bodies & Wetlands; Applicant: Frank J. Barrett, AIA of Barrett Architecture, P.C.; Owner: Edward T. and MaryLynn Kerrigan; Property address: 9 Heneage Lane, Hanover. Application states: Applicant hereby requests a Special Exception as provided in Article VII, Section(s) 701 and/or 702 of the Hanover Zoning Ordinance to, “permit work within the required 75 foot wetlands buffer area, i.e., removal of existing house, construction of new residence regarding of certain areas of the lot.” Application signed June 23, 2009.

Site visit made from 4:00p to 4:45p on Monday, July 6, 2009 by Vicki Smith (Town staff), Erica Alders (Town staff), Frank J. Barrett, AIA, and the following Conservation Commission (CC) members: Robin Carpenter, Ed Chamberlain, Ray Hogue, Michael Mayor, Doug McIlroy, and Judy Reeve (site visit reporter). Observations & areas of concern noted in various portions of the site visit report:

- no documents from the wetland scientist were presented to substantiate the location of the wetland system on the property.
- the application lacks a construction sequence including showing where materials will be stockpiled during construction.
- due to the challenging site conditions and the possibility of major stormwater, erosion and siltation during demolition, regarding and construction, the erosion control and grading plan is not adequate.
- members also noted on site while studying the site plan that water running down the driveway and upland would pool in front of the garage and building, creating ice in cold weather.
- the new grading on the south side of the property will direct stormwater onto the neighbor's property which is not permissible.
- roof lines indicating where water will run off building are not indicated and would be helpful for evaluation of stormwater concentration.
- the old sanitary sewer line is to be removed and a new one put in. Location of these lines should be on the existing condition plans in order to evaluate the impact that would have on the site work.
- the volume of fill is not indicated and therefore it is not possible to determine whether this project needs other permits from the zoning department.

Carpenter indicated that no flagging of the wetlands on the site was evident. McIlroy indicated that the wetlands, along with much of the downhill portion of the site, had been covered with woodchips resulting from the logging of the property. Mr. Barrett indicated that Mr. Peter Spears, Wetlands Scientist, had delineated the wetlands on the site nearly two years ago and prior to the logging of the property and spreading of the woodchips in the wetlands. McIlroy indicated that the plans included with the application did not have Mr. Spears' stamp and therefore are incomplete. Smith indicated that the water emanating from a drainage pipe under the driveway and flowing down the slope on the southerly side of the property may need to be considered for classification as an intermittent stream.

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Conclusion: Mr. Barrett indicated that he will request on July 9, 2009 that the application be withdrawn from the agenda for the ZBA's next meeting so that he, together with his client, can work to address the points noted by the CC.

Item 2: Discussion of Guidance for Private Vegetative Management on Town Conservation Lands. A draft version dated June 17, 2009 of a document titled Guidance for Private Vegetative Management on Town Conservation Lands was reviewed and changes were suggested. In point 2 of the document the term, "public benefit" was noted as a key element of the plan for guidance. Carpenter suggested that instead of "benefit" the concept of "harm" should be the standard used for considering whether an alteration of vegetation on town-owned conservation lands (see point 1 in the document) should be allowed.

A straw vote was taken on whether the standard should be benefit or harm and the vote was: *in favor of harm as the standard:* Carpenter, Rassias; *in favor of benefit as the standard:* Chamberlain, Mayor, McIlroy, Morris, Reeve, White.

Hogue suggested that the standard be compliance with the appropriate management plan(s), but it was indicated that the appropriate management plans have yet to be completed.

Chamberlain **moved** to approve the document as amended; Mayor **seconded**. **Vote:** in favor: Chamberlain, Mayor, McIlroy, Morris, Reeve, White, Rassias; against: Carpenter.

Item 3: Williamson cutting request. This issue was considered by the CC in its April 8, 2009 regular meeting, with the pertinent minutes from that meeting reading, "Resident of 7 River Ridge Road presented two photographs with overlays to indicate which tree, tree-top, and tree-limbs would be removed if permission were granted. The resident desires to recover a view of Mt. Ascutney and the Connecticut River now obscured by the growth of the subject trees. Altogether, two trees would have branches removed, one tree would be removed and one tree would be topped. McIlroy said that this has been done to trees near the Litten property on School Street, but in that case the tree work was done to provide for public view. No action taken. Instead, further discussion on the matter, including the development of a general policy, was recommended."

With the guidance for the CC provided by the document approved, as amended, by the CC per Item 2 above, Chamberlain **moved** to approve the request by the Williamsons; Mayor **seconded**. **Vote:** in favor: Mayor, Reeve, Rassias; against: Carpenter, Chamberlain, McIlroy, Morris, White.

Item 4: Hunting on Dana property. A memo to the CC from Doug McIlroy dated May 5, 2009 and revised May 14, 2009 and June 11, 2009 with the subject, Hunting in the Dana Preserve. The document indicates that the CC recommends the hunting prohibition on the Dana property be rescinded and goes on to provide support for that position. Mayor **moved** that the document be forwarded to the Select Board; Carpenter **seconded**. **Vote:** unanimous.

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Item 5: Trailhead parking at the Dana property (near the intersection of Ruddsboro and Dana Roads). At issue is the location of a small parking area and whether one is even needed. Chamberlain indicated that public access and public parking is already in place at the site and an alternate site would require such improvements. Smith indicated that Tom Linnell was concerned about partying at the site and the potential for the associated dumping of trash. Chamberlain and McIlroy indicated that this had not happened as of yet. Morris indicated that there are no trails leading from the site. Others indicated that trails aren't needed for hiking. Carpenter **moved** that no action be taken; Chamberlain **seconded**. **Vote:** unanimous. McIlroy indicated the trails map would be updated to reflect a small parking area at the Dana property site.

Item 6: Open Space Committee report by Anne Morris.

a. Morris presented a map of a portion of downtown Hanover showing a Town of Hanover-owned passageway from Hovey Lane past a current termination of Ledyard Lane and through to Currier Place. The map indicates this passageway has the rough dimensions of adjacent roadways. Morris also introduced a Saturday, June 13, 2009 email from Tom Linell to Victoria Smith in which Mr. Linell proposing the slight improvement of the passageway to better accommodate walkers. Mr. Linell indicates that he is not proposing a paved sidewalk. He indicates the parcel acts as a drainage swale and suggests that the CC observe the parcel during a rain event. Morris indicated this passageway may be well-suited for a bike or pedestrian project that allows non-motorized egress through that part of Hanover, and that it may also serve well as a pocket-park. McIlroy indicated that the passageway has a steep portion that may not make it compatible for bikes, and indicated that it can be wet at times, as well. Chamberlain suggested a site visit on Monday, August 10, 2009. Smith suggested the CC invite the bike/pedestrian committee, or a representative, to the site visit.

b. Morris introduced a draft document dated July 8, 2009 addressed to Julia Griffin with the subject: Timetable for provision of water company information. The document summarizes a conversation Morris had with Julia Griffin. Morris indicated that Julia Griffin is on vacation and has not had a chance to review the document.

c. Morris introduced a copy of a map of that part of Hanover covering the Storrs Pond area and surrounding neighborhoods. Morris indicated that owner of an approximately 6 acre parcel on the eastern side of Lyme Road roughly across from the northern tip of the Kendal property is looking to sell the property and is considering, among other things, some form of avenue for the conservation of the land. The Hanover Improvement Society has the right of first refusal to purchase the property. It was decided that Matt Marshall of the Hanover Improvement Society should be invited to attend the next Open Space Committee meeting on Thursday, August 6, 2009.

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Item 7: Trails Committee report by Doug McIlroy.

a. McIlroy asks if the CC has any specific projects it would like addressed by the volunteers summoned by Ledyard Bank through its Lend a Hand Day this coming October. The CC instructed McIlroy to apply the volunteers as he sees fit.

b. Smith asked the CC if \$2,000 should be spent again to hire John Taylor of UVTA to do trail work for the Trails Committee. The CC responded in the affirmative.

Item 8: Annual application by a group of Boy Scouts for a special use permit to camp at South Esker. The scouts have planned their annual canoe and camping trip to South Esker for August 12 through 14. A signature is required by the Chairperson of the CC. Reeve indicates she will sign the permit.

Item 9: Vicki Smith's working one day a week on CC projects. Reeve passed out to the CC four sets of documents:

Document Set 1.) Title III under State of New Hampshire RSA re: Chapter 36-A Conservation Commissions.

Document Set 2.) Appendix II of: Memorandum of Understanding Conservation Commission. This MOU is between the Board of Selectmen of the Town of Hanover and the CC and, "...establishes procedures and guidelines which govern the placement of revenue from Land Use Change Tax, timber sales, and environmental fines and penalties into the Conservation Fund as authorized by RSA 36-A:5.1 and by the 1999 Annual Town Meeting and which govern expenditures from this Conservation Fund:...". In point 2 of this document it states, "The Commission may make expenditures from the Conservation Fund for any purpose set forth in and according to RSA 36-A and other applicable laws: (bullet point) Expenditures for non-capital purposes, such as public education, and maintenance and management of lands may be made from the Conservation Fund without any limitation other than set forth in such laws;".

Document Set 3.) a Wednesday, July 8, 2009 gmail to Judith Reeve from Jonathan Edwards, Director of Planning & Zoning for the Town of Hanover, and supervisor of Smith. This email is titled, "Vicki's Fifth Day" and summarizes a conversation between the two that day and confirms certain details and points of agreement discussed and arrived at in that conversation, including that, "... Vicki's work on these additional work days will be exclusively devoted to activities as determined by the Commission." Finally, this document contains pages from the May 11, 1999 Town Meeting titled The Town Meeting Actions that created the Conservation Fund. The footer on this portion of the document reads 1999 Town Meeting Articles authorizing the Conservation Fund, Text copied from (sic) Town of Hanover Website 7/7/09.

Document Set 4.) a Work Plan Proposal for 5th Day Per Week, prepared by Vicki Smith and dated May 20, 2009, in which Smith indicates CC land management projects to which she could be assigned.

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Smith noted that Document 3 indicated an end date of the proposed arrangement of June 30, 2010 and proposed a start date occurring in August 2009, date to be determined, and ending 52 weeks later.

Reeve noted that the MOU referred to in Document Set 2 is renewed each year by the Select Board.

In Document Set 4 it is indicated that the cost for a fifth day for Smith would total of \$21,500.

Reeve indicated that the appropriate funds would be transferred/converted from the Conservation Fund to the Town of Hanover general fund. Morris suggested that to the extent possible, these funds should be transferred/converted on a monthly basis so as to allow for greater interest earnings potential for the Conservation Fund.

Chamberlain **moved** that the arrangement between the Town of Hanover and the CC whereby Vicki Smith would be assigned to CC land management projects one day a week for a 52 month period starting on a date to be determined in August 2009 be approved; Mayor **seconded**. Reeve **amends motion** to set the dollar limit on the arrangement at \$21,500. Mayor **seconded the amended motion**. **Vote:** in favor: Chamberlain, Mayor, McIlroy, Morris, Reeve, White, Rassias; against: Carpenter.

Item 10: Minutes from June 10, 2009 meeting. Carpenter **moved** to accept the minutes as amended; White **seconded**; vote: **unanimous**.

Adjournment: Reeve **moved** to adjourn; White **seconded**; vote: **unanimous**. Meeting adjourned at 8:05pm.