

## WESTMORELAND CONSERVATION COMMISSION

December 1, 2005

The meeting convened at 7:05 p.m. with Marshall Patmos, George Duke, John Lukin, Jim Blake, Walter Derjue, and Jeff Smith in attendance.

The minutes from Oct. 13, 2005 were read and approved. There was no meeting in November.

Marshall reported that 7 people had made contributions to the Conservation Commission's Conservation Fund in memory of Phil Staples who passed away recently. It is noted that the contributions were very gratefully received.

Jeff reported that a group of 15 local people, organized by Thomas Hanna, got together at the end of October for the purpose of cleaning up the banks of Mill Brook between Mac's Convenience Store and Aldrich Road. Huge quantities of white Styrofoam (as well as other debris) were strewn along the banks after the flood on October 8th. Stan Castor was kind enough to provide the group with bags and to pick up the piles of stuff that were collected.

Jim reported on the spring clean-up. He called "America the Beautiful" and they reportedly will supply us with blue bags. Along this same line, Marshall contacted Smokey Smith, who is currently policy director for DOT, to find out if they have any role to play in cleaning up fallen trees etc. after floods or clearing debris that might cause future damming and flooding on private property. He was told that DOT does not have money available for that purpose, but we can pursue the concern with CR at DOT.

George said he had spoken with Mame O'Dette and she had a suggestion for a car top boat launch site. George said he would ask her for more details regarding the location etc.

George gave us an email update. He said Trish is supposed to be learning how to put minutes on the town web site, but that minutes will not be emailed to individuals. In other words, minutes will be available on the town web site only or thru George's email newsletter.

George said that the Zoning Board does not hear from Bruce Smith, Zoning Administrator, if everything on the initial application looks okay. George also said he took a list of Earl's complaints regarding the town transfer station to the town office and gave them to Trisha.

Jeff reported on the "Aren't We Lucky... To Live in Westmoreland" photo contest. He said there were nearly 50 photos and the response from those who participated was very good. The photos were judged by Karen and Erika at Creative Encounters in Keene and Karen even offered to mat the 5 winning photos which was greatly appreciated. In addition to the 5 winning photos, there were 10 Honorable Mentions. The Commission voted to reimburse Jeff for the \$75.00 prize money and there was some discussion that perhaps we should continue with the photo contest next year.

Kyle Keith's building project on South Village Road near the intersection of Route 12 was discussed. George sent an email to the Selectmen and they replied by saying Stan Castor had applied to build on this same site a few years ago. The Conservation Commission had said at that time the wetlands would have to be delineated by a soils scientist before a permit could be granted. Stan opted not to go thru the process. In 2003 the Zoning Board approved the site as a building site and approved the site plan as well.

As a result, a building permit was given and Junior Starkey approved an extension for Kyle Keith this year.

It was suggested that we need to have Bruce, and ideally also Junior, come to one of our meetings, where we can discuss how the Conservation Commission might help them in their responsibilities as zoning administrator and building inspector.

John reported on the Land Protection Committee meeting. He said he will have maps for the next meeting on December 20th at 7:00 p.m. He also said he would send out letters to those who had expressed an interest in the committee but had not been able to attend the last meeting.

There was some discussion regarding the management of forests and our role. There is supposed to be an "Intent to Cut" form signed by selectmen and posted at the site. It's illegal to start a harvest without the approved application. A "Final Report of Cut" is filed after the harvest. The owner is then assessed a 10% severance tax by the town based on the value of timber harvested. In addition to paying the tax, the owner is responsible to abiding by regulations. Bob Stewart, District Ranger, for the NH Division of Forests and Lands enforces the timber sale regulations and wetland regulations associated with a timber sale for this area. He reportedly has 400 + or - harvest operations a year to oversee and it's more than one person can do resulting in frequent undetected violations. Some pertinent harvest laws are the basal area limit that prohibits harvesting more than 50% of the basal area within 150 feet of a public road, great pond or 4<sup>th</sup> order stream and within 50 feet of other streams and brooks. Violations in the basal area laws are fairly common. If there are wetlands or stream crossings involved and the work is minimal impact according to RSA 482-A, the owner has to notify the NH Wetlands Bureau and the Conservation Commission before work can begin. If the work will be more than a "minimal impact" as defined by RSA 482-A, a Dredge and Fill permit must be submitted to the NH Department of Environmental Services and Conservation Commission for review and approval before work can proceed.

Regarding correspondence, Marshall received a flyer from Moosewood Ecological Services, LLC as well as a letter from Comprehensive Environmental Incorporated offering their environmental engineering services.

Marshall received a referral from Bruce Smith, Zoning Administrator regarding the former Daschbach property on Glebe Road. It's a 5 acre lot and while it doesn't show up on the wetlands map, on the ground it appears there are wetlands present. The question is can it be subdivided, and if so what impact do the wetlands have on building on the property. It was recommended that the owner/interested party retain the services of a certified soil scientist to delineate the wetlands for future reference so that any building can be done other than on the wetland area.

Marshall checked in with the Selectmen before adjourning and they expressed two concerns to him. One is the Mill Pond in Chesterfield. Apparently the water level of the pond has been manipulated by the landowner resulting in damage downstream to Hunt Road and further to the junction of Partridge Brook. Since the property is in Chesterfield, Marshall will contact the Chesterfield Conservation Commission and relay the concern and possible violation of the NH Dam Bureau regulations. The other concern was the pond by Owl's Hill Road. It appears that the height of the small dam at its outlet has been increased. The concern is with the impact of increased water flow through the

culvert downstream with possible flooding should the dam breach under heavy rains. The culvert was not designed to support flow from a larger pond. Selectmen will deal with the issue.

The meeting adjourned at 9:25 p.m.

Jeffrey P. Smith  
Secretary

UNAPPROVED MINUTES