

**Town of Pelham, NH**  
**Pelham Conservation Commission**  
**6 Village Green**  
**Pelham, NH 03076-3723**

**MEETING OF 04/11/18**

Members Present

Karen Mackay, Lisa Loosigian  
Louise Delehanty, Mike Gendreau  
Paul Gagnon

**APPROVED 04/10/19**

Members Absent:

Ken Stanvick,  
Brandie Shydo

Paul Gagnon brought the meeting to order at 7:00 p.m.

**ELECTION OF OFFICERS:**

Motion: (Gagnon/Delehanty) to nominate Karen Mackay for Secretary.

Vote: 5-0-0 in favor.

Motion: (Mackay/Loosigian) to nominate Mike Gendreau for Vice-Chairman.

Vote: 5-0-0 in favor.

Motion: (Mackay/Gendreau) to nominate Paul Gagnon for Chairman.

Vote: 5-0-0 in favor.

**DISCUSSION:**

Map 22 Lot 7-1	9 Atwood Road – Discussion about recommending the open space on this lot for donation to the town – Presentation by Karen Mackay
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The Commission reviewed and voted on this case a few weeks ago. Ms. Loosigian had recused herself from the case. Mr. Gagnon and Ms. Mackay felt Ms. Loosigian could vote on the open space because this matter is different than the case. Ms. Loosigian agreed to vote on the land donation. The Selectmen require comment from the Commission prior to accepting any land donations.

This case is an 11 lot conservation subdivision located off Atwood Road. The land owner is proposing to donate 16 acres of open space land, associated with the subdivision, to the town. The owner is trying to preserve the barn on the property and will be restoring the old farm house. Ms. Mackay felt the Commission worked well with the land owner.

This project is conserving the east side of the lot. The property sits like a puzzle piece with town land on three sides of the east side of the lot. Peabody Town Forest is to the south, other town land is located to the north along the powerline corridor, and the golf course is to the east. Town

residents cannot go on the golf course, but the course property has an area of forest that can be utilized by residents.

Some members of the Commission attended the site walk a few months ago and observed land features. The lot is forest land such as is common throughout Pelham. The land has slightly rolling hills with a lot of stone walls. There was one suspected vernal pool on the lot, but a wetland scientist investigated the possibility and determined the pool was not a vernal pool. The wetland is more than 200 feet from any proposed houses. Members walked to the pool, during the site walk, which is roughly centered on the property. We did not walk far to the east, but that land looked to be similar to the portion of the lot that will be developed.

The owner of the property will cut a trail from the back corner of the cemetery, south to cross the proposed road to attach to trails along the powerlines which connect to trails on Peabody Town Forest.

Ms. Loosigian asked what quantity of land must be preserved in a conservation subdivision and if the town could sell the land at a later time if the town took ownership of the property. Regulations state that 40 percent of a conservation subdivision must be dedicated as open space. This subdivision has close to 70 percent of the land in open space. The applicant did not request any bonus lots in this development. If the land remains with the subdivision and is managed by a homeowners association, the land can never be built upon. This will be written in the deed and restrict development on the open space land. Mr. Gagnon believes this restriction will run with the land, but he will check with Planning to make sure the land will always be protected against development even if the town takes ownership. He suggested we vote on this donation as if this deed restriction will carry with the land.

The land will remain open space even if we don't accept the donation. The land will be part of the subdivision and if owned by a homeowners association they have the right to deny access to the public. Ms. Mackay thinks the town should own the land so all residents will have the ability to use the land.

The 25 foot strip of land that runs along the southern cemetery wall will be an easement for heavy equipment. The easement is within the building lot and will run with the property in perpetuity. Ms. Delehanty questioned if the easement can be used as a walking easement in order to gain access to the trail by the rear corner of the cemetery. Ms. Mackay understood the easement to be only for equipment that may be needed for work in the cemetery not for residents to walk in to the open space, but this is not certain.

The open space lot will remain a distinct lot. The lot will not be merged with the other lots of Peabody Town Forest. We did not fill out the Check List for Open Space Acquisitions. The Check List is only filled out if the Commission is to purchase land.

Motion: (Loosigian/Delehanty) to recommend the town accept the donation of the open space land on lot 22/7-1.

Vote: 5-0-0 in favor.

## **WALK IN ITEMS**

Ms. Loosigian thanked Mr. Gagnon and Ms. Mackay for serving as Chairman and Secretary for the past several years and for continuing for the coming year. She also thanked Mr. Gendreau for agreeing to serve as Vice Chairman this coming year.

Ms. Delehanty spoke of 3 important dates in April. April 21, 2018 will be Discover Wild Day at the NH Fish and Game offices on Hazen Drive in Concord. Events include animals, demonstrations and hands on activities. All events are free and open to the whole family.

Earth Day is April 22, 2018. The theme this year is 'A World Without Plastic Pollution.' Every one minute a garbage truck of plastic is dumped in our oceans. Please reuse and recycle all plastic containers.

There is a concern about air quality. It is unlawful to burn demolish debris, trash, and treated, painted and glued wood products. Cars should not idle. If making a cell call or text, turn the car off so you are not idling while talking. Burn permits are required to burn brush on your property. The permit is good for one year. Permits are available at the fire station for free. Once the permit is obtained, a phone call to the fire station is needed when you want to burn. The fire department will determine appropriate times to burn and all residents must request permission each time they want to burn.

Saturday, April 28, 2018 is national take back drug day from 10-2. Pelham Police will take back any medicines that are no longer needed. Please do not flush them as they contaminate the environment. Pelham Police will accept old medications any day.

Ms. Loosigian spoke to the members about proposed changes to wetland rules at NH Department of Environmental Services (DES). The changes are in a draft form now. No formal rule making changes have taken place yet. There have been numerous proposed changes throughout the wetland rules (env-wt 100-900). Changes in all chapters of the wetland rules include additions, clarifying language, updates in processes, greater detail on procedures, and expanding and streamlining reviews. Residents can look up the wetland rules on the DES website.

Mr. Gagnon informed the Commission about the Forestry Committee clean-up on the Wolven property last Saturday.

Commission members as well as members of the public are invited to meet at Merriam/Cutter Conservation Area for a clean-up at 8:00 a.m. on Sunday, April 29, 2018. Work will be light duty such as picking up branches and clearing trails.

Mr. Gagnon will attend a vernal pool site walk from 9-12 on May 5, 2018 at Zanard Forest in Nottingham, NH. Mark West will conduct the site walk. Interested residents can look online if they want to attend.

Mr. Gagnon thanked the town voters for approving the \$1,500,000 bond at town meeting. Residents voted 70 percent in favor of the warrant article. The Commission appreciates the voter support for our efforts to conserve land.

## **MINUTES**

Motion: (Loosigian/Gendreau) to approve the minutes of September 13, 2017.

Vote: 4-0-1 Gagnon abstained.

Motion: (Loosigian/Delehanty) to approve the minutes of October 11, 2017.  
Vote: 4-0-1 Gendreau abstained.

Motion: (Loosigian/Mackay) to approve the minutes of December 13, 2017.  
Vote: 3-0-2 Gagnon and Gendreau abstained.

Motion: (Loosigian/Gendreau) to approve the minutes of February 14, 2018.  
Vote: 5-0-0.

Motion: (Delehanty/Gendreau) to approve the site walk minutes of February 24, 2018.  
Vote: 3-0-2 Gagnon and Loosigian abstained.

**ADJOURNMENT:**

Motion: (Mackay/Gendreau) to adjourn  
Vote: 5-0-0 in favor.

Adjourned 8:05 p.m.

Respectfully submitted,  
Karen Mackay,  
Recording Secretary